



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 (1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/25/3427

Re: Property at 5 Ransome Gardens, Edinburgh, EH4 7ET (“the Property”)

Parties:

Brian Milne as Trustee in Sequestration of Lendrick Gillies., c/o Quantuma Advisory Limited, Turnberry House, 175 West George Street, Glasgow, G2 2LB (“the Applicant”)

Nicola Horiaca, 5 Ransome Gardens, Edinburgh, EH4 7ET (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Sandra Brydon (Ordinary Member)

Decision

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made an Eviction Order.

Background

[2] The Applicant seeks an Eviction Order under ground 1 of Schedule 3 of the Act. The Application is accompanied by a copy of the relevant tenancy agreement, the notice to leave with proof of service, the relevant notice under Section 11 of the Homelessness

(etc) (Scotland) Act 2003 and proof of the Applicant's title and interest to bring these proceedings.

The Hearing

[3] The Application called for a Case Management Discussion ("CMD") by conference call at 2 pm on 24 February 2026. The Applicant was represented by Mr Gray of Gilson Gray LLP. The Respondent was neither present nor represented. The Application and information about how to join the conference call had been served on the Respondent by Sheriff Officers and accordingly the Tribunal decided to proceed in the absence of the Respondent.

[4] Having heard from Mr Gray the Tribunal made the following findings in fact.

Findings in Fact

- 1) *The Applicant acquired the Landlord's interest in a Private Residential Tenancy Agreement which let the Property to the Respondent.*
- 2) *The original landlord has been sequestrated and the Applicant is the relevant trustee in sequestration and has title and interest to bring these proceedings.*
- 3) *The Applicant now wishes to sell the Property to realise the debtor's estate for the benefit of his creditors.*
- 4) *The Applicant has competently served a notice to leave under ground 1 on the Respondent.*
- 5) *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003.*
- 6) *The Respondent has not engaged with the Tribunal process.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal considered that ground 1 of Schedule 3 of the Act was established and that it was reasonable to make an Eviction Order.

Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek

permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

A. McLaughlin

Legal Member/Chair

24 February 2026

Date