



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

**Chamber Ref: FTS/HPC/EV/25/0227**

**Re: Property at 26 Dover Heights, Dunfermline, KY11 8HS (“the Property”)**

**Parties:**

**Ms Sheila Mair, Mr Stephen Mair, Devonshire Cottage, Yeovil Road, East Coker, Somerset, BA22 9HS (“the Applicant”)**

**Mr Barrie Sharp, 26 Dover Heights, Dunfermline, KY11 8HS (“the Respondent”)**

**Tribunal Members:**

**Graham Dunlop (Legal Member) and Robert Buchan (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for eviction be granted in favour of the Applicant**

**Background and Second Case Management Discussion**

1. The property has been tenanted by the respondent since March 2019. Since 2024 the respondent has been in arrears of rent.
2. The applicant lodged an application seeking an eviction order.
3. At a CMD in November 2025 the respondent stated that he had recently become self employed and undertook to pay a lump sum of £1,360 immediately and thereafter £314 per week toward the arrears

4. The applicant attended the second CMD today and advised that the lump sum was paid along with one payment of £315 last year. The respondent has made no further payments towards the rent and arrears of rent.
5. The respondent advised the Tribunal that the applicant was refusing to respond to correspondence.
6. The respondent failed to attend the second CMD despite being notified by Recorded Delivery on 23 January 2026 that he required to attend or be represented.

### **Findings in Fact and Reasons for Decision**

7. The respondent has been the tenant of the property since 2019.
8. The respondent has accrued rent arrears since 2024 of more than 3 months.
9. The respondent has failed to honour payment assurances made to the applicant directly.
10. The respondent has failed to honour the assurances and payment arrangement made at the CMD last year.
11. In all the circumstances it is reasonable to grant the eviction order as sought.

### **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.**

**Graham Dunlop**

**Legal Member/Chair**

**Date 5<sup>th</sup> March 2026**