



**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/25/1792**

**Re: Property at FLAT 2B DALRYMPLE COURT, GLASGOW, G66 3AA (“the Property”)**

**Parties:**

**Mr WILLIAM MCLEAN, 30 AUCHNACLOICH ROAD, ROTHESAY, PA20 0EB (“the Applicant”)**

**Mr IAIN COLEMAN, FLAT 2B DALRYMPLE COURT, GLASGOW, G66 3AA (“the Respondent”)**

**Tribunal Members:**

**Nicola Irvine (Legal Member) and Sandra Brydon (Ordinary Member)**

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

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicant is entitled to the Order sought for recovery of possession of the property.**

**Background**

1. The Applicant submitted an application under Rule 109 of the Housing & Property Chamber Procedure Regulations 2017 (“the Rules”) for an order to evict the Respondent from the property.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).
3. Letters were issued on 6 January 2026 informing both parties that a CMD had been assigned for 17 February 2026 at 10am, which was to take place by conference call. In that letter, the parties were also told that they were required

to take part in the discussion and were informed that the Tribunal could make a decision today on the application if the Tribunal has sufficient information and considers the procedure to have been fair. The Respondent was invited to make written representations by 27 January 2026. No representations were received.

### **The case management discussion – 17 February 2026**

4. The CMD took place by conference call. The Applicant was represented by Ms Sharon Cooke from Coda Estates Ltd. The Respondent did not join the conference call and the discussion proceeded in his absence. The Tribunal explained the purpose of the CMD.
5. The Applicant's circumstances are such that he is retired and lives in Bute. The Property is his only rental property, and he wishes to sell the Property and cease activity as a landlord.
6. The Applicant's representative explained that the Respondent is believed to live alone in the Property. He was employed when the tenancy started but his current employment status is unknown to the Applicant. The Respondent is non responsive in relation to routine checks of the Property. In addition, he has accrued rent arrears of £1580. The last payment made by him to the rent account was in December 2025. There has been no communication from the Respondent in relation to payment of ongoing rent and arrears, nor in relation to the present application.
7. The Tribunal adjourned the CMD to allow the members to consider the information provided. When the CMD was reconvened, the Tribunal explained that it found the ground of eviction established and found that it is reasonable to grant an order for eviction.

### **Findings in Fact**

8. The Applicant is the heritable proprietor of the property at Flat 2B Dalrymple Court, Glasgow, G66 3AA.
9. The Respondent is the tenant of the Applicant.
10. The parties entered into a private residential tenancy which commenced 18 October 2021.
11. The Applicant served Notice to Leave on the Respondent by email on 13 January 2025.
12. The Applicant intends to sell the Property.

## **Reason for Decision**

13. The Tribunal was satisfied that it could make relevant findings in fact in order to reach a decision following the CMD, and that to do so would not be contrary to the interests of the parties in this case.
  
14. The Tribunal proceeded on the basis of the documents lodged and the submissions made at the CMD. The Applicant relied upon ground 1 of the Private Housing (Tenancies) (Scotland) Act 2016. The Applicant has agreed with Coda Estates Ltd that they will market the Property for sale in the event of an order being granted. There was information before the Tribunal about the Applicant's intention to sell the Property. The Respondent did not lodge any written submissions and did not participate in the CMD. The information before the Tribunal was that the Respondent does not engage well with the Applicant's representative in relation to routine checks of the Property and he has accrued rent arrears. Over the last couple of months, the Respondent has failed to meet his primary obligation to pay rent, and no explanation has been provided by the Respondent. The Tribunal was satisfied that the ground for eviction was established. In light of the information provided by the Applicant's representative, the Tribunal found that it was reasonable to grant the order for eviction.

## **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.**

Nicola Irvine

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**Legal Member/Chair**

**17 February 2026**

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**Date**