



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 1988

Chamber Ref: FTS/HPC/EV/25/4007

Re: Property at 26 Eaglesham Court, Hairmyres, East Kilbride, G75 8GS (“the Property”)

Parties:

Nicholas Louden, Nicola Louden, 4 Coed Ceirios, Rhiwbina, Cardiff, CF14 6HN (“the Applicant”)

Mr Alan O’Lone, 25 Eaglesham Court, Hairmyres, East Kilbride, G75 8GS (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member) and Elizabeth Dickson (Ordinary Member)

Decision

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

1. This is an eviction application under rule 66 and section 33 of the Housing (Scotland) Act 1988. Intimation of the application and of the Case Management Discussion (‘CMD’) was effected upon the respondent by Sheriff Officers on 23 February 2026.
2. The CMD took place by teleconference 9 April 2026 at 10.00 am. The applicants were represented by Miss Capaldi of Bannatyne Kirkwood France & Co. Mr Louden was also present. The respondent did not attend.

Findings and Reasons

3. The property is 26 Eaglesham Court, Hairmyres, East Kilbride G75 8GS. The applicants are Mr Nicholas Louden and Mrs Nicola Louden who are the heritable proprietors and registered landlords of the property. The respondent is Mr Alan O’Lone who is the tenant.

4. The parties entered into a short assured tenancy which first commenced on 13 October 2014. It was for an initial 6 month period. Two month' notice is required for termination in terms of the lease. An AT5 Notice under section 32 of the 1988 Act was served on the respondent prior to the creation of the tenancy.
5. On 20 June 2025 Sheriff Officers served upon the respondent a Notice to Quit and Notice under Section 33(1)(d) of the Housing (Scotland) Act 1988. The respondent required to remove from the property on or before 13 September 2025. The short assured tenancy between the parties has reached its ish. Tacit relocation is not operating. No further contractual tenancy is in existence. The applicant has complied with the terms of Section 33(1)(d) of the Housing (Scotland) Act 1988.
6. The tribunal considered the reasonableness of the eviction order being granted. The applicants seeks to evict the respondent on the grounds that they intend to sell the let property. The respondent has not opposed the eviction application. He is in rent arrears of around £8,000. This has had a significant adverse financial impact upon the applicants. The respondent lives alone and has no dependents. He has no known disabilities or other vulnerabilities.
7. A section 11 Notice under the Homelessness etc (Scotland) Act 2003 has been issued. In the event of an eviction order being made the local authority is under a statutory duty to make suitable alternative accommodation available.
8. The tribunal concluded that it was reasonable to grant the 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.



13 April 2026

Legal Member/Chair

Date