



**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/25/2012**

**Re: Property at 282C London Road, Glasgow, G40 1PT (“the Property”)**

**Parties:**

**Mrs Ai Hua Ng, Mrs Pooi Peng Loh, 26 Lengkok endau, Penang, Georgetown 10471, Malaysia, Malaysia; 26 Lengkok Endau, Penang, Georgetown 10470, Malaysia, Malaysia (“the Applicants”)**

**Mr Sanu Sanu, Miss Ranju Gautam, 282C London Road, Glasgow, G40 1PT; UNKNOWN, UNKNOWN (“the Respondents”)**

**Tribunal Members:**

**Nicola Irvine (Legal Member) and Mary Lyden (Ordinary Member)**

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

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

**Background**

1. The Applicants submitted an application under Rule 109 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. The Applicants sought an order to evict the Respondents 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 21 February 2026 informing both parties that a CMD had been assigned for 1 April 2026 at 10am, which was to take place by conference call.

4. On 21 February 2026, the Tribunal received an email from the Second Respondent advising that she vacated the Property in July 2022.

#### **The case management discussion – 1 April 2026**

5. The CMD took place by conference call. The Applicants were represented Mrs Mary Ng of NGS Homes Ltd. The Respondents did not join the conference call and the discussion proceeded in their absence. The Tribunal explained the purpose of the CMD.
6. The Applicants' representative confirmed that the Second Respondent vacated the Property in or around July 2022. The First Respondent has been in contact with the Applicants' representative and has made offers to pay the arrears of rent but has not adhered to those offers of payment. He has made sporadic payments and the last payment made to the rent account was on 16 February 2026. When the application was submitted, the rent arrears amounted to £3,629.25 and have since increased to £5,464.25. The Property is a one bedroomed flat. The Respondent is believed to be in employment and does not have any dependents.
7. The Tribunal adjourned the CMD briefly to allow the members to consider the information provided. When the CMD was reconvened, the Tribunal advised the Applicant's representative that it found the eviction ground established and also concluded that it is reasonable to grant an order for eviction.

#### **Findings in Fact**

8. The Applicants are the heritable proprietors of the Property at 282C London Road, Glasgow, G40 1PT.
9. The Respondents are the tenants at the Property.
10. The parties entered into a private residential tenancy which commenced 14 April 2021.
11. The Second Respondent vacated the Property in or around July 2022.
12. The Applicants served Notice to Leave on the Respondents by email on 18 February 2025.
13. The Respondents have been in rent arrears for more than 3 consecutive months.

## **Reason for Decision**

14. 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.
15. The Tribunal proceeded on the basis of the documents lodged and the submissions made at the CMD. The Applicant relied upon ground 12 of the Private Housing (Tenancies) (Scotland) Act 2016. The rent statement lodged discloses that the Respondents have consistently been in arrears of rent since June 2024. Although the First Respondent has been in contact with the Applicants' representative, he has not fulfilled his offers of payment of the rent arrears. The Second Respondent vacated the Property several years ago. The Applicants have complied with the pre-action protocol. There is a significant balance of rent arrears now due to the Applicants. The First Respondent is failing to meet his primary obligation to pay rent, has not engaged with the Tribunal and has not made any proposal to pay the rent arrears. The tenancy appears to be unaffordable to the First Respondent. The Tribunal was satisfied that the ground for eviction was established. In light of the information provided by the Applicants' 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

Legal Member/Chair

**1 April 2026**  
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Date