



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 (“The Act”)

Chamber Ref: FTS/HPC/EV/25/4817

Re: Property at 12C Scott Place, Airdrie, ML6 6BB (“the Property”)

Parties:

Mrs Elizabeth Bruce, 24 Intervale Avenue, Airdrie, ML6 8NH (“the Applicant”)

Mr Derek Wilson, 12C Scott Place, Airdrie, ML6 6BB (“the Respondent”)

Tribunal Members:

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

[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 tenancy agreement and the notice to leave with proof of service. The relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003 is also produced. The Applicant has also provided detailed statements setting out their reasons for wishing to sell the Property. She wishes to retire from being a landlord.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 12 May 2026. The Applicant was represented by their letting agent and representative, Ms Stewart. The Respondent was personally present. Neither party had any preliminary matters to raise. The Respondent was content for the Tribunal to grant

the Application. He understood the purpose of the Application and had taken advice from his local authority. He lives in the Property alone but is now keen to move out as soon as possible. He finds himself in the position that he will not be offered an appropriate level of assistance by the local authority until such time as an Eviction Order is granted.

[4] Having heard from parties, the Tribunal made the following findings in fact.

Findings in Fact

- 1) *The Applicant let the Property to the Respondent by virtue of a Private Residential Tenancy Agreement.*
- 2) *The Applicant now wishes to sell the Property and retire. They no longer wish to be a landlord.*
- 3) *The Applicant has competently served a notice to leave under Ground 1 on the Respondent.*
- 4) *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003.*
- 5) *The Respondent is content to leave the Property and has taken advice regarding alternative accommodation.*

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. The Tribunal granted the Application.

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

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12 May 2026

Date