



**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/25/4476**

**Re: Property at 53 Norderdale, Lerwick, Shetland Isle, ZE1 0SB (“the Property”)**

**Parties:**

**Mr James McCreadie, 2 Hanson Park, Flat 1/5, Glasgow, G31 2HA (“the Applicant”)**

**Mr Michael Eunson, Mrs Ashley Eunson, 53 Norderdale, Lerwick, Shetland Isle, ZE1 0SB (“the Respondents”)**

**Tribunal Members:**

**Gabrielle Miller (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the order for recovery and possession should be granted in favour of the Applicant. The Order is superseded until 6<sup>th</sup> July 2026.**

**Background**

1. An application was received by the Housing and Property Chamber dated 16<sup>th</sup> October 2025. The application was submitted under Rule 109 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“the 2017 Regulations”). The application was based on ground 1 of the Private Housing (Tenancies) (Scotland) Act 2016.
2. On 28<sup>th</sup> February 2026, all parties were written to with the date for the Case Management Discussion (“CMD”) of 30<sup>th</sup> April 2026 at 2pm by teleconferencing. The letter also requested all written representations be submitted by 4<sup>th</sup> April 2026.
3. On 5<sup>th</sup> March 2026, sheriff officers served the letter with notice of the hearing date and documentation upon the Respondents by personal service. This was evidenced by Certificate of Intimation dated 5<sup>th</sup> March 2026.

## The Case Management Discussion

4. A CMD was held on 30<sup>th</sup> April 2026 at 2pm by teleconferencing. The Applicant was present and represented himself. The Respondents were present and represented themselves.
5. The Applicant said that he now wants to sell the Property. He is a pensioner and wants to retire from being a landlord. He requires to sell the Property now due to the current economic climate. He has taken advice from the Scottish Association of Landlords who have told him that he will get a lower value for the property with sitting tenants.
6. The Respondents said that they hold no bad feelings to the Applicant and that he has been a brilliant landlord. They have spoken to their local authority who have said that they will not be rehoused until there is an order granted by the Tribunal. They are not opposing an order being granted.
7. The Respondents live in their house with their three daughters who are 16, 10 and 8 years old. The two youngest children go to school in the local area. The Second Named Respondent works in that school so can continue to take them when they move if they are not located in the same area. Their 16 year old daughter is currently doing her Highers. There is nobody in the household with significant medical conditions. The Tribunal discussed if superseding (postponing) the enforcement of the Order would help them. It was explained that it will be clear from this decision that an order has been granted against them but it would allow time for the children to finish the school year without the disturbance of moving during the last term of the year. The Respondents said that might be of assistance plus it would allow the Second Named Respondent to deal with matters without taking time off from her work.
8. The Applicant said that he had no issue with the enforcement of the Order being superseded (postponed) to the end of the school year. He said that the Respondents have been excellent tenants who have looked after the Property well and he does not wish them any ill just that he requires to sell the Property now.
9. The Tribunal was satisfied that it was reasonable to grant an order for eviction with the Order superseded to 6<sup>th</sup> July 2026.
10. Both parties thanked each other for their part during the tenancy. The Tribunal noted that co-operation and respect that they had shown to each other throughout the CMD and thanked them for this as it allowed the matter to progress without issue.

## Findings and reason for decision

11. A Private Rented Tenancy Agreement commenced 1<sup>st</sup> July 2018.

12. The Applicant now wants to sell the Property. The Applicant does not want to be a landlord anymore. He is a pensioner and wants to retire from being a landlord. This is the only rental property the Applicant owns. The Property requires to be vacant before it is sold or there will be a reduction in the sale value for the Property.
13. This is a no fault grounds for eviction. The Applicant confirmed that there are no tenancy issues and the Property has been well looked after.
14. The Respondents are not opposed to the granting of an order. The Respondents have spoken to their local authority housing department who will not rehouse them until an order for eviction has been granted.
15. The Respondents have no known vulnerabilities or disabilities.
16. There are no issues of reasonableness that prevent an order from being granted.

#### Decision

17. The Tribunal found that ground 1 has been established and granted an order in favour of the Applicant.

#### **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.**

Gabrielle Miller

30<sup>th</sup> April 2026

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**Legal Member/Chair**

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**Date**