



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/25/3933

Re: Property at 82 Lairhills Road, East Kilbride, G75 0LH (“the Property”)

Parties:

Mrs Sylvia Barrett, 5 Kelvin Court, East Kilbride, G75 0TZ (“the Applicant”)

Miss Natalie Champkin, Mr Sean Kane, 82 Lairhills Road, East Kilbride, G75 0LH (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Helen Barclay (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 information setting out their reasons for wishing to sell the Property.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 11 May 2026. The Applicant was represented by her husband, Mr Barrett. The Respondents were neither present nor represented. The Respondents had both received service of the Application by Sheriff Officers and so the Tribunal decided to

proceed in their absence. Neither party had any preliminary matters to raise. The Applicant wishes to sell the Property to alleviate financial concerns.

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

Findings in Fact

- 1) *The Applicant let the Property to the Respondents by virtue of a Private Residential Tenancy Agreement.*
- 2) *The Applicant now wishes to sell the Property to alleviate financial concerns.*
- 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 Respondents have not engaged with the Tribunal process.*

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.

Andrew McLaughlin

Legal Member/Chair

Date: 11th May 2026