



**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/25/4899**

**Re: Property at 22 Crossloan Terrace Flat 1/1 Govan, Glasgow, G51 3NW (“the Property”)**

**Parties:**

**Nexam Properties Ltd, 28 Barhill Way Bearsden, Glasgow Scotland, G61 3EJ (“the Applicants”)**

**Ms Kelsey-Jo Forbes, 22 Crossloan Terrace Flat 1/1 Govan, Glasgow, G51 3NW (“the Respondent”)**

**Tribunal Members:**

**George Clark (Legal Member) and Elizabeth Dickson (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and issued an Eviction Order against the Respondent.**

**Background**

1. By application dated 13 November 2025, the Applicants sought an Eviction Order against the Respondent under Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”). The Ground relied on was Ground 1 of Schedule 3 to the 2016 Act, namely that the landlord intends to sell the Property.
2. The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties, which commenced on 6 May 2024 at a rent of £612.85 per month, and a Notice to Leave dated 30 July 2025 advising the Respondent that an application to the Tribunal under Ground 1 would not be made before 25 October 2025. The Applicants also provided the Tribunal with a copy of a Sole Selling Rights Agreement with Clyde Property, estate agents, Glasgow, dated 7 November 2025.

3. On 21 March 2026, the Tribunal advised the Parties of the date and time of a Case Management Discussion, and the Respondent was invited to make written representations by 11 April 2026. The Respondent did not make any written representations to the Tribunal.

### **Case Management Discussion**

4. A Case Management Discussion was held by means of a telephone conference call on the afternoon of 7 May 2026. The Applicants were represented by Miss Adriana Capaldi of Bannatyne Kirkwood France, solicitors, Glasgow. The Respondent was represented by Mr Alexander Donnelly of Govan Law Centre.
5. The Applicants' representative told the Tribunal that the Respondents have four other rental properties. The present Property had been inherited by the owner of the Applicant company and her brother. She had bought out her brother's share. The present tenancy had proved unsustainable for her due to erratic payment of rent and to personal issues, including the serious illness of her husband, additional support needs for her son and the recent sudden death of her father. Selling the Property was the only option for her to reduce stress and financial uncertainty.
6. The Respondent's representative told the Tribunal that the Respondent was not opposing the application but was looking for the earliest date on which it could be enforced to be extended to 12 weeks, to allow her time to secure social housing without requiring to be accommodated in a hostel or hotel. He confirmed that the Respondent lives alone in the Property.
7. Miss Capaldi indicated that she understood the difficult position regarding social housing in Glasgow and did not oppose the request for a 12-week period before an Eviction Order could be enforced.

### **Reasons for Decision**

8. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it sufficient information and documentation to decide the application without a Hearing.
9. Section 51 of the 2016 Act states that the Tribunal is to issue an Eviction Order against the tenant under a Private Residential Tenancy if, on an application by the landlord, it finds that one of the eviction grounds named in Schedule 3 to the 2016 Act applies.
10. Ground 1 of Schedule 3 to the 2016 Act provides that it is an eviction ground that the landlord intends to sell the let property and that the Tribunal may find that Ground 1 applies if the landlord is entitled to sell and intends to sell it for market value, or at least put it up for sale, within 3 months of the tenant ceasing to occupy it, and the Tribunal is satisfied that it is reasonable to issue an Eviction Order on account of those facts. Ground 1 goes on to state that evidence

tending to show that the landlord has that intention includes (for example) a letter of engagement from a solicitor or estate agent concerning the sale, or a recently prepared Home Report.

11. The Tribunal was satisfied from the evidence provided by the Applicant, including the Sole Selling Rights Agreement with Clyde Property, that they intend to sell the Property. Accordingly, the only matter for the Tribunal to decide was whether it would be reasonable to issue an Eviction Order.

12. The Tribunal noted the personal circumstances of the owner of the Applicant company and the fact that the Respondent was not opposing the issuing of an Eviction Order and, having considered carefully all the evidence before it, the Tribunal decided that it would be reasonable to issue an Eviction Order, but that it should not be enforceable until 31 July 2026, to allow the Respondent a reasonable period of time to obtain the help she requires from the local authority or other agencies to secure social housing.

13. The Tribunal's decision was unanimous.

### **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.**

George Clark

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Legal Member/Chair

**7 May 2026**  
Date