



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/25/3479

Re: Property at 3 Bilisland Road, Glenrothes, KY6 2DX (“the Property”)

Parties:

Mr Mark Bland, Mrs Jennifer Bland, 16 Torridon Place, Glenrothes, Fife, KY6 2ER (“the Applicants”)

Miss Natasha (Tasha) Hutchison, 3 Bilisland Road, Glenrothes, KY6 2DX (“the Respondent”)

Tribunal Members:

Lauren Rae (Legal Member) and Eileen Shand (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for eviction should be granted in favour of the Applicant. The order is superseded until 20 July 2026.

Background

1. By application dated 11 August 2025, the Applicants sought an order for eviction in terms of Rule 51 and ground 1 of schedule 3 of the Private Housing (Residential) (Scotland) Act 2016 (“2016 Act”) and rule 109 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 (“2017 Regulations”).
2. The application was accepted for determination by the tribunal on 27 February 2026.
3. A case management discussion (“CMD”) was fixed for 5 June 2026. Both parties received notification of the date and time of the CMD. Papers were served on the Respondent by Sheriff Officers.

4. The Respondent email the Tribunal dated on 19 May 2025 advising that she was not opposing the eviction but sought additional time within which to move out and set out her reasons therefore.

Case Management Discussion

5. The CMD took place on 5 June 2026 via teleconference. The Applicants appeared personally. The Respondent also appeared personally.
6. The application proceeded on the basis that the Applicants wish to sell the property (ground 1). Prior to the application being accepted for determination, the Applicants advised the Tribunal that their marriage had broken down irretrievably and attempted to change the ground of ejection to ground 4 of schedule 3 (Landlord intends to live in the property). The Applicants, upon being notified that they would have to serve a fresh notice to leave upon the Respondent under ground 4, opted to proceed with the original application (and ground for ejection) and lodged in process a letter of instruction for an estate agent instructed to market the property for sale.
7. The Respondent advised the Tribunal that she was consenting to an order for eviction, this was notwithstanding any issues the tribunal may have had regarding the purported ground of eviction. The Respondent had been in contact with Fife Council and other local housing associations to source alternative housing. She had been advised that she would not be rehoused until there was an eviction order granted. The Respondent has a daughter aged 7 who attends the local school. Both the Respondent and her daughter have mental health conditions which mean sudden changes in personal circumstances can be destabilising. For that reason, the Respondent sought agreement to postpone the eviction until the 20th July 2026.
8. The Applicants consented to the eviction date being postponed until 20 July 2026.

Findings in Fact

9. A Private Residential Tenancy between the parties commenced on 18 March 2019.
10. Notice to leave was hand delivered to the Respondent on 15 May 2025.
11. The Respondent confirmed she had received the notice to leave.
12. A section 11 notice under the Homelessness etc (Scotland) Act 2003 was emailed to the local authority on 11 August 2025.
13. The Applicants intend to sell the Property and have engaged an estate agent to act on their behalf.

14. The Respondent consented to the order for eviction.
15. The Respondent has engaged with her local authority and housing associations who will not rehouse the Respondent and her daughter until an order for eviction is granted.
16. The Respondent and her daughter both have mental health conditions justifying a postponement of the eviction order until 20 July 2026.
17. The Applicants consented to the postponement of the eviction order.

Decision and Reasons

18. The Respondent consented to the order for eviction. The Respondent proposed and the Applicants agreed that the order should be postponed until 20 July 2026.
19. The Tribunal granted the order for eviction. The eviction order is postponed until 20 July 2026.

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.

Ms L Rae

05.06.26

Legal Member/Chair

Date