



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 33 of the Housing (Scotland) Act 1988 (“The Act”)

Chamber Ref: FTS/HPC/EV/25/5263

Re: Property at 36 Jean Armour Drive, Clydebank, Dunbartonshire, G81 2EP (“the Property”)

Parties:

Mr Jason Robertson as Executor of the Estate of the late Jessie Leith, 25 Strathmore Road, Hamilton, ML3 6AQ (“the Applicant”)

Ms Helen Buckley, 36 Jean Armour Drive, Clydebank, Dunbartonshire, G81 2EP (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Robert Buchan (Ordinary Member)

[1] The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) granted the Application and made an Eviction Order subject to the provision that it may not be enforced before 25 August 2026

Background

[2] The Applicant seeks an Eviction Order under Section 33 of the Act. The Application is accompanied by a copy of the relevant tenancy agreement; the relevant notice under Section 33 of the Act; the relevant notice to quit; the relevant notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003 and proof of service.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (CMD) by conference call at 10 am on 25 June 2026. The Applicant was represented by Ms Mullen, solicitor. The Respondent was personally present.

[4] The Tribunal was addressed on the Application by the Applicant. The Respondent ultimately accepted that it was reasonable to grant an Eviction Order but requested some more time to vacate the Property in order that she could find alternative accommodation for her and her five children. The Tribunal carefully considered the reasonableness or otherwise of granting the Application. Having done so, the Tribunal made the following findings in fact.

Findings in Fact

1. *The Applicant let the Property to the Respondent by virtue of a Short-Assured Tenancy within the meaning of the Act;*
2. *The Applicant competently ended the tenancy by competently serving a notice under Section 33 of the Act and a notice to quit;*
3. *The Applicant has served the requisite notice under Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
4. *The Applicant wishes to sell the Property.*
5. *The Respondent is prepared to leave the Property but would welcome some extra time to make the necessary arrangements.*

Reasons for Decision

[5] Having made the above findings in fact, the Tribunal found that the tenancy had been validly ended under Section 33 of the Act and that it was reasonable to make an Eviction Order. The Tribunal therefore granted the Application but did so on the basis that it may not be enforced prior to 25 August 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.

Andrew McLaughlin

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Legal Member/Chair

25 June 2026
Date