



**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**

**Chamber Ref: FTS/HPC/EV/25/5319**

**Re: Property at G/1 91 Holmscroft Street, Greenock, PA15 4DF (“the Property”)**

**Parties:**

**Mr Jim O'Neill, Mrs Jacqueline O'Neill, 4 Ascog Place, Wemyss Bay, PA18 6DZ  
 (“the Applicant”)**

**Miss Leanne Jay, G/1 91 Holmscroft Street, Greenock, PA15 4DF (“the  
Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member) and Gerard Darroch (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that an order of eviction be granted but with delayed  
implementation for a period of 2 months from the date of the order.**

- Background

The applicant applied to the tribunal for an order of eviction on the basis that the applicant wished to sell the property. The application was dated 9<sup>th</sup> December 2025. Accompanying the application was a copy of the tenancy agreement dated 10<sup>th</sup> July 2024, a copy of the notice to leave, a copy of the section 11 notice and a copy of the pre litigation requirements sent to the respondent. The application was served personally by sheriff officers on 29<sup>th</sup> March 2026. The respondent lodged a written submission shortly prior to the case management discussion. The respondent did not oppose the eviction order but sought a longer period for enforcement.

- The Case Management Discussion

At the case management discussion Mr Caldwell appeared on behalf of the applicant. There was no appearance by or for the respondent. Mr Caldwell indicated that the property had been purchased for the parents of one of the applicants to live in. Neither of the parents lived in the property any longer and the property had been rented out there was little profit to be made from the rental income of the property. The applicant only had one rental property. There was little equity in the property. Rent arrears were increasing for the property. There was a mortgage to pay on it. The applicant had decided to sell.

- Findings in Fact
  1. The parties had entered in to a Private Residential Tenancy Agreement for the rental of the property dated 10 July 2024.
  2. The applicant wished to sell the property. It was the only rental property they owned.
  3. There was limited equity in the property and the respondent was in increasing rent arrears.
  4. The respondent was not opposed to the order but wished more time to find alternate accommodation.
- Reasons for Decision

The applicant had set out a reason to sell the property which the tribunal accepted. The respondent was not opposed to the order being granted. She wished more time to find alternate accommodation and provided confirmation of various health issues.

The tribunal concluded that a period of 2 months from the date of the order should be granted which would allow a longer period of time to find accommodation but acknowledging that the applicant had intimated the intention to recover the property by Notice to Leave dated 2 April 2025.

- Decision

To grant an order of eviction but to delay implementation for a period of 2 months from the date of the order.

## **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.**

# Mark Thorley

22nd June 2026

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Legal Member/Chair

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Date