



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/26/0464

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

Parties:

Mr James 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 this application is dismissed

- Background

The applicant applied to the tribunal for an order of eviction based upon arrears of rent. The application was dated 29th January 2026. Accompanying the application was a copy of the notice to leave come out together with section 11 notice and document showing rent arrears. A previous application for eviction based upon sale of the property had already been lodged with a tribunal. The application was served on the respondent who intimated by way of written representation that she was not objecting to eviction being granted but was seeking that eviction be delayed to allow her to obtain alternative accommodation.

- The Case Management Discussion

At the case management discussion Mr Caldwell on behalf of the applicant confirmed that in the event of the eviction being granted in respect of the earlier application based on sale of the property that he was not insistent upon this application. Eviction was granted in respect of the other application and accordingly this application was dismissed

- Decision

To dismiss this 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.

Mark Thorley

22nd June 2026

Legal Member/Chair

Date