



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 (The Act)

Chamber Ref: FTS/HPC/EV/25/4582

Re: Property at 26 Rowan Drive, Clydebank, G81 3LY (“the Property”)

Parties:

Mrs Caroline Ross, 21 Parkhall Road, Clydebank, G81 3QS (“the Applicant”)

Mr James Lake, 26 Rowan Drive, Clydebank, G81 3LY (“the Respondent”)

Tribunal Members:

Andrew McLaughlin (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

Decision

[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 prior to 7 September 2026.

Background

[2] The Applicant seeks an Eviction Order under Section 33 of the Act. The relevant notice under Section 33 and a Notice to Quit have been served on the Respondent. The Application was accompanied by a copy of the relevant tenancy agreement; the relevant notice under Section 11 of the *Homelessness (etc) (Scotland) Act 2003*; the notice served under Section 33 of the Act; the relevant notice to quit and proof of service of both notices.

The Case Management Discussion

[3] The Application called for a Case Management Discussion (“CMD”) by conference call at 10 am on 22 June 2026. The Applicant was represented by her letting agent, Ms McKinlay. The Respondent was personally present.

[4] A discussion took place in which parties agreed a settlement whereby the Respondent would agree to the Eviction Order being granted and would vacate the Property no later than 7 September 2026.

[5] Having heard from parties, the Tribunal made the following findings in fact:

Findings in Fact

1. *The parties entered into a tenancy agreement whereby the Applicant let the Property to the Respondent on a Short-Assured Tenancy Agreement within the meaning of the Act;*
2. *The Applicant competently served a notice under Section 33 of the Act and a notice to quit which competently ended the contractual tenancy agreement between the parties;*
3. *The Applicant has complied with Section 11 of the Homelessness (etc) (Scotland) Act 2003;*
4. *The Respondent has agreed to vacate the Property in return for having some more time to find alternative accommodation for his family.*

Reasons for Decision

[6] Having made the above findings in fact, the Tribunal considered that the tenancy had been ended under Section 33 of the Act. It was also reasonable to grant the Eviction Order. The Tribunal therefore granted the Application but did so subject to the provision that it may not be enforced prior to 7 September 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

Legal Member/Chair

22 June 2026

Date