

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Chamber Ref: FTS/HPC/EV/26/0088

Re: Property at 2/3, 12 Afton Street, Shawlands, Glasgow, G41 3BU (“the Property”)

Parties:

Mr John Lockhart, 2/2, 148 Queens Drive, Glasgow, G42 8QN (“the Applicant”)

Mr Shaoxian Kuang, Mrs Piaoping Ma, 2/3, 12 Afton Street, Shawlands, Glasgow, G41 3BU (“the Respondents”)

Tribunal Members:

Richard Mill (Legal Member) and Eileen Shand (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an eviction order be granted

Introduction

1. This eviction application is under rule 66 and section 33 of the Housing (Scotland) Act 1988. Intimation of the application and of the Case Management Discussion (‘CMD’) was effected upon the respondents by Sheriff Officers on 17 June 2026.
2. The CMD took place by teleconference on 22 July 2026 at 10.00 am. The applicant was represented by Mr Raphael Bar of DJ Alexander. The respondents were represented by Miss Lindsay McBride of Govan Law Centre.

Findings and Reasons

3. The parties entered into a short assured tenancy which first commenced on 8 February 2013. Monthly rent was agreed at £345 per month for an initial 6 month period to 8 August 2013. Specific contractual provision was made to terminate the tenancy on 28 days’ notice.

4. On 6 November 2025 Sheriff Officers served upon the respondents a Notice to Quit and Notice under Section 33(1)(d) of the Housing (Scotland) Act 1988 which required them to remove from the property on or before 8 January 2026. Sufficient notice was given. The applicant has complied with the terms of Section 33(1)(d) of the Housing (Scotland) Act 1988. The tribunal considered the reasonableness of the eviction order being granted.
5. The applicant seeks to evict the respondent on the grounds that he intends to sell the let property. He no longer wishes to be a commercial landlord due to the ongoing administrative burdens. The condition of the property has deteriorated which is generating additional costs.
6. The respondents live in the property with their two children aged 8 and 14. It is a one bedroom property which no longer meets their needs. They are actively seeking alternative accommodation acknowledging that they require to move. A section 11 Homelessness notice has been issued to the Council. In the event of an eviction order being made the local authority is under a statutory duty to make suitable alternative accommodation available.
7. The tribunal concluded that it was reasonable to grant the eviction order. At the request of the respondent's representative the tribunal extended the period for implementation until Friday 4 September 2026, taking into account the length of the respondents' occupation and their children's circumstances.

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.

Richard Mill

22 July 2026

Legal Member/Chair

Date