

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 Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/25/5310

Re: Property at Flat 1/1 1539 Shettleston Road, Glasgow, G32 9AS (“the Property”)

Parties:

Mr Thomas Boyle and Mrs Ann Boyle, 23 Croftspar Drive, Glasgow, G32 0JG (“the Applicants”) and

PRP Legal Ltd, Kensington House 227 Sauchiehall Street Glasgow, G2 3EX (“the Applicants’ Representative”) and

Mr Ryan Sanderson, Flat 1/1 1539 Shettleston Road, Glasgow, G32 9AS (“the Respondent”)

Tribunal Members:

G McWilliams- Legal Member

E Munroe- Ordinary Member

Decision in absence of the Respondent:

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determines to grant an eviction order.

Background

1. This is an Application for an eviction order in terms of Rule 109 (Application for an eviction order) of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the 2017 Rules”).

Case Management Discussion

2. A Case Management Discussion (“CMD”) proceeded by remote teleconference call at 10am on 13th July 2026. The Applicants’ Representative’s Mr D Murray attended. The Respondent Mr Sanderson did not attend and was not represented. The Tribunal noted that Sheriff Officers served copies of the Application papers,

and details of the CMD, upon Mr Sanderson by posting them through the letterbox of the Property on 10th June 2026.

3. Mr Murray referred to the Application case papers. He stated that Mr Sanderson has not engaged with the Applicants, Mr and Mrs Boyle, and his office. He said that Mr Sanderson has not paid rent since April 2025 and that the current rent arrears owing are in the sum of £6060.00. Mr Murray stated that he understands that Mr Sanderson is aged 26 or 27, originally came to Scotland, from the USA, to study, is no longer studying and is not working. He said that when Sheriff Officers tried to intimate papers, regarding a gas safety inspection, on 11th March 2026, they did not access the Property but noted from enquiries with neighbours that Mr Sanderson was still residing there. Mr Murray further stated that Mr and Mrs Boyle have a mortgage account in respect of the Property and that the level of rent outstanding is causing difficulties for them. Mr Murray asked the Tribunal to grant an eviction order.

Findings in Fact and Law and Reasons for Decision

4. In terms of Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”) the Tribunal is to issue an eviction order under a private residential tenancy (“PRT”) if, on application by a landlord, it finds that one of the eviction grounds named in Schedule 3 applies.
5. Schedule 3 (12) (1) to the 2016 Act provides that it is an eviction ground that the tenant has been in rent arrears for three or more consecutive months.
6. Accordingly, the Tribunal has jurisdiction in relation to claims by landlords (such as the Applicants) for an eviction order against a tenant (such as the Respondent) in respect of a tenancy such as the tenancy agreement of the parties.
7. Having considered all of the Application papers and the submission of Mr Murray, the Tribunal finds in fact that the Applicants have provided the Tribunal, in their Application for an eviction order, with copies of the parties’ PRT, the Notice to Leave (“NTL”) served on Mr Sanderson and the Section 11 (Homelessness Etc. (Scotland) Act 2003) Notice which was intimated to Glasgow City Council. All of these documents and forms had been correctly and validly prepared in terms of the provisions of the relevant legislation, and the procedures set out in the legislation had been correctly followed and applied. The NTL, and the Application for an eviction order, proceed in terms of Schedule 3 (12) to the 2016 Act. The Tribunal further finds in fact that when the NTL was served on Mr Sanderson, on 7th November 2025, he had been in rent arrears for three consecutive months, and that when the Application was lodged with the Tribunal’s office, on 9th December 2025, Mr Sanderson was in rent arrears of £3760.00. Mr Sanderson now has rent arrears of £6060.00.
8. In making its findings in fact the Tribunal relied on the documentation within the Application and, in particular, on the oral submission of Mr Murray, the terms of which were consistent with the terms of the relevant documentation.

9. The Tribunal, in making their findings in fact, also placed reliance on the absence of any contradictory information or submissions from the Respondent, Mr Sanderson. The papers in respect of the Application had been served effectively on him on 10th June 2026. He is aware of the important nature of the Application but has not lodged any representations regarding the merits and the reasonableness of the grant of the order sought. The Tribunal's office has not received any communications from Mr Sanderson or any representatives or advisers acting on his behalf.
10. Accordingly, the Tribunal find in law that the ground in Schedule 3 (12) (1) of the 2016 Act is met as the Respondent, Mr Sanderson, has been in rent arrears for three or more consecutive months and that it is reasonable that an eviction order be granted.

Decision

11. Therefore, the Tribunal makes an order for eviction of the Respondent, Mr Ryan Sanderson, from the Property at Flat 1/1 1539 Shettleston Road, Glasgow, G32 9AS

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.

G McWilliams

13th July 2026
