

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/26/0124

Re: Property at 5 Adamson Crescent, Dunfermline, KY12 0AZ (“the Property”)

Parties:

Mr Neil Crosbie, Mrs Nicola Crosbie, 16 Pentland Rise, Dalgety Bay, Fife, KY11 9LY (“the Applicant”)

Mrs Sarah McLeod (nee Ramsay), Mr Thomas McLeod, 5 Adamson Crescent, Dunfermline, KY12 0AZ (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member) and Ann Moore (Ordinary Member)

Decision

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

Introduction

This is an eviction application under Rule 109 and Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016. Service of the proceedings and intimation of the Case Management Discussion (CMD) took place upon the respondents by Sheriff Officers on 26 June 2026.

The CMD took place by teleconference on 30 July 2026 at 10.00 am. Both parties joined personally and represented their own interests.

Findings and Reasons

The parties entered into a private residential tenancy in respect of the property which commenced on 18 August 2020. The applicants rely upon ground 1 of schedule 3 to the 2016 Act as they intend to sell the property. The notice period was one of 84 days. The notice to leave was dated 30 July 2025 and stipulates that the earliest an

application be submitted to the tribunal would be 25 October 2025. The notice was served by email on the day it was dated. Sufficient statutory notice was given.

The applicants seek to streamline their financial arrangements and commitments and sell the property as it is no longer financially viable or profitable to continue as landlords. The applicants have produced a copy of a letter dated 10 December 2025 from their agents confirming instructions to sell the property. The applicants' intention to sell is unchallenged. The tribunal was satisfied on the basis of the credible and reliable evidence produced that it is the applicants' genuine intention to sell the let property. The tribunal proceeded to consider the issue of reasonableness on the making of an eviction order.

The respondents are both in employment. They have no dependents and no known disabilities or other vulnerabilities. A Section 11 Homelessness notice has been issued to the local authority. The respondents will be provided with alternate accommodation in the event of an eviction order being made.

Weighing up the respective circumstances of the parties, the tribunal concluded that it was reasonable to grant the eviction 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.

30 July 2026

Legal Member/Chair

Date