



Decision 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/26/0510

Re: Property at 7 COLTNESS DRIVE, BELLSHILL, ML4 2JE (“the Property”)

Parties:

Ms Mary Rankin, Alison Jane Hartnett, 3A STATION APPROACH, HAMPTON, MIDDLESEX, TW12 2HZ (“the Applicants”)

Miss Lynnette Hamilton, 7 COLTNESS DRIVE, BELLSHILL, ML4 2JE (“the Respondent”)

Tribunal Members: Nairn Young (Legal Member) & Helen Barclay (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an eviction order against the Respondent, who occupies the Property in terms of a private residential tenancy agreement with the Applicants. It called for case management discussion (‘CMD’) at 10am on 21 August 2026, by teleconference. The Applicants were on the call in-person and were represented by Mr McTigue of Jackson Boyd, solicitors. The Respondent was also on the call in-person.

- Findings in Fact

The Tribunal considered the following unopposed facts as relevant to its decision:

1. The Applicant lets the Property to the Respondent in terms of a private residential tenancy agreement with a start date of 27 March 2019.
 2. On 30 June 2025, the Applicants' agent emailed a notice to leave to the Respondent, stating that they would rely on Ground 4 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 ('the Act') in any application to the Tribunal to follow.
 3. The Applicants wish to move in to the Property, to use it as their only home for the foreseeable future.
 4. The Respondent will not be rehoused by the local authority until an eviction order is granted.
- Reasons for Decision
5. Ground 4 is established here and, in particular, it is reasonable for the order to be granted. Both parties are in agreement that the Applicants should be allowed to move in to the Property, which they own, and the Respondent is waiting for the order to be granted in order to be able to access support from the local authority.
- Decision

Eviction order granted.

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.

Nairn Young

Legal Member/Chair

Date 21st August 2026