

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

Chamber Ref: FTS/HPC/EV/26/0192

Re: Property at 14/1 Loganlea Drive, Edinburgh, EH7 6LW (“the Property”)

Parties:

Mrs Patricia Vera Speirs, 79 Traquair Park West, Edinburgh, EH12 7AN (“the Applicant”)

Ms Kelly Ferrigan, 14/1 Loganlea Drive, Edinburgh, EH7 6LW (“the Respondent”)

Tribunal Members:

Richard Mill (Legal Member) and Ahsan Khan (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 section 33 of the Housing (Scotland) Act 1988. The Case Management Discussion took place by teleconference on 28 August 2026 at 2.00 pm. Both parties represented their own interests.

Findings and Reasons

2. The property is 14/1 Loganlea Drive, Edinburgh EH7 6LW. The applicant is Mrs Patricia Speirs. She is the heritable proprietor and registered landlord of the property. The respondent is Ms Kelly Ferrigan who is the tenant.
3. The parties entered into a short assured tenancy for an initial period from 13 October 2014 to 13 April 2015. The tenancy has continued monthly since. The applicant served upon the respondent a Notice to Quit and Notice under Section 33(1)(d) of the Housing (Scotland) Act 1988 stating that possession

was required of the property as at 13 January 2026. The Notices were hand delivered to the respondent on 10 November 2025.

4. The short assured tenancy between the parties has reached its ish. Tacit relocation is not operating. No further contractual tenancy is in existence. The applicant has complied with the terms of Section 33(1)(d) of the Housing (Scotland) Act 1988. The tribunal requires to consider the reasonableness of the eviction order being granted.
5. The applicant seeks to evict the respondent on the grounds that she intends to sell the let property. The respondent does not oppose the eviction application. She has health difficulties. Her 18 year old daughter is currently living with her. A section 11 Notice under the Homelessness etc (Scotland) Act 2003 has been issued to the City of Edinburgh Council. The local authority is under a statutory duty to make suitable alternative accommodation available.
6. The tribunal concluded that it was reasonable to grant the eviction order. The tribunal extended the period for implementation for a period of two months to reflect the respondent's health problems and the length of time she has occupied the property.

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

28 August 2026

Legal Member/Chair

Date