



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/26/0001

Re: Property at 54 Teviot Street, Falkirk, FK1 5HY (“the Property”)

Parties:

C&T Rentals Limited, 5 Muirhall Road, Larbert (“the Applicant”)

Miss Stacy McKay, 54 Teviot Street, Falkirk, FK1 5HY (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Sandra Brydon (Ordinary Member)

Decision (in absence of the Respondent)

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

Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 28 August 2026. The Applicant was represented by Mrs Connelly. The Respondent was not present or represented.
2. In this Application the Applicant seeks an eviction order. It contends that it is the landlord, and the Respondent the tenant, of the Property under and in terms of a Private Residential Tenancy Agreement. It contends that the Respondent is in rent arrears and has been for a continuous period of three calendar months. Notice to Leave was given to the Respondent on that basis and has expired. It contends that it is reasonable to grant the eviction order.
3. At the CMD Mrs Connelly advised the Tribunal that the Respondent’s arrears had risen to £3,548.38. The Respondent lives at the Property alone. It has not been adapted for her use. The Applicant has mortgage lending secured over

the property as part of secured lending for its portfolio of six properties. Mrs Connelly spoke of the Respondent having herself previously stated by text message of intending to leave. She spoke of having developed concerns that the Respondent was vulnerable and of requiring the police to undertake a welfare check. The Applicant has not been able to access the Property in over a year. Safety checks are now outstanding. The Applicant requires to recover the Property for those purposes.

4. In terms of Rule 17(4) of the First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 the Tribunal may do anything at a CMD that it may do at a Hearing, including make a Decision. In terms of Rule 2, the Tribunal must have regard to the overriding objective to deal with proceedings justly when making a Decision, including the need to avoid unnecessary delay.
5. The Respondent has received a copy of the Application and intimation of the CMD. She has chosen not to lodge written representations or to appear or be represented at the CMD. In those circumstances, the Tribunal is satisfied that she does not dispute that she is in arrears or that it is reasonable to grant the eviction order.
6. For those reasons, the Tribunal determined that an eviction order should be granted. For the purposes of section 51(4) of the 2016 Act the Tribunal determined that the Private Residential Tenancy between the parties will terminate on 28 September 2026.

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.

Andrew Upton

Andrew Upton

Legal Member/Chair

28 August 2026

Date