



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under 51 of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/26/0561

Re: Property at 2/2, 9 South Woodside Road, Kelvinbridge, Glasgow, G4 9HE (“the Property”)

Parties:

Mrs Farah Abdul-Quayum, Mr Shahed Iqbal Quayum, 15 Newark Drive, Pollokshields, Glasgow, G41 4QB (“the Applicant”)

Mr Jordan Green, 2/2, 9 South Woodside Road, Kelvinbridge, Glasgow, G4 9HE (“the Respondent”)

Tribunal Members:

Robert MacDonald (Legal Member) and Mary Lyden (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the provisions of paragraph 5 of Schedule 3 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the 2016 Act”) are met in this case. The Tribunal therefore made an eviction order under section 51 of the 2016 Act. In terms of section 54(1) of the 2016 Act, the Private Residential Tenancy between the parties will end on 4th November 2026.

Background

1. This is an application dated 4th January 2026 for an Eviction Order under Section 51 of the 2016 Act and Rule 109 of The First-Tier Tribunal for Scotland Housing and Property Chamber (Procedure) 2017 Regulations (“the Rules”). The Applicants relied upon Ground 5 of Schedule 3 to the 2016 Act as the ground for eviction, namely that a member of the landlord’s family intended to occupy the let property as that person’s only or principal home for at least three months.
2. The application was accepted by the Tribunal as valid on 14th May 2026 and referred to a Tribunal for determination. The Case Management Discussion was

set down to take place on 5th October 2026 by teleconference. The Tribunal gave the parties notice of the Case Management Discussion in accordance with Rule 17(2). The notice was served on the Respondent by Sheriff Officer on 11th August 2026.

3. The Tribunal invited the Respondent to make written representations in response to the application to the Tribunal no later than 29th August 2026. No written representations were received from the Respondent.

Case Management Discussion

4. The Case Management Discussion took place on 5th October 2026 at 10am. Mrs Farrah Abdul Quayum appeared on behalf of herself and her husband. There was no appearance by or on behalf of the Respondent. There was no explanation for his absence. He did not attempt to log on to the teleconference during the Case Management Discussion. The Tribunal were satisfied that the Respondent had been given proper notice of the Case Management Discussion. The Tribunal was satisfied that it was appropriate to continue with the Case Management Discussion in the absence of the Respondent.
5. The Tribunal had the following documents before it:-
 - a. Form E application form.
 - b. Copy Land Certificate confirming that the property was owned by the Applicants.
 - c. Evidence that the Applicants were registered as landlords.
 - d. A copy of a Private Residential Tenancy Agreement between the parties.
 - e. A copy of the Notice to Leave and proof of delivery on the Respondent by email on 12th December 2025.
 - f. Copy Section 11 Notice in terms of the Homelessness etc (Scotland) Act 2003 and evidence of service of the said notice on Glasgow City Council.
 - g. Statement by Mrs Farrah Abdul Quayum.
 - h. Statement by Zayna Abdul Quayum.
6. The Tribunal heard submissions from Mrs Quayum. She explained that her adult daughter Zayna had just started her fifth year at Glasgow University where she was studying for a degree in medicine. Zayna currently lived at home with the Applicants and their extended family. The property in which they were living was overcrowded, and not ideal for her daughter who required peace and quiet to study for her degree. The property is located in a short walking distance from the university. It would provide a quiet, self contained living environment for her daughter. She advised the Tribunal that she had entered into a tenancy agreement in October 2025 with the Respondent. He paid a deposit when he moved in on 10th October 2025, but he had not paid any rent. There were now 13 months of unpaid rent. There had been difficulties with the Respondent, who had behaved in an antisocial manner. There had been police involvement with the Respondent and there were allegations of him drug dealing at the property. He had been abusive towards Mrs Quayum. He had been physically abusive to other people living in the tenement block. The property is a one bedroom flat, but the Applicants believed he had several people living there with him. The Respondent had refused to allow anybody into the property to

carry out an inspection. The Applicant had lodged an application with the Tribunal for a Payment Order which had not yet been dealt with. She had served a notice to leave on the Respondent, but he was still in the property. If they were successful in recovering possession her daughter intended to live in the property as her principal residence while she was at university.

7. The Tribunal adjourned the Case Management Discussion to deliberate outwith the presence of the Applicant. After a brief adjournment, the Tribunal resumed the Case Management Discussion and confirmed the outcome.

Findings in Fact and Law

8. The Applicants are the owners of the property under a Land Certificate registered in the Land Register of Scotland under title number GLA231825. They are the landlords and the Respondent is the tenant of the property in terms of a Private Residential Tenancy Agreement which commenced on 10th October 2025.
9. The Applicant's sent a Notice to Leave as defined by Section 62 of the 2016 Act to the tenant by email on 12th December 2025. The terms of the Private Residential Tenancy Agreement provided for service of such Notices by email. In terms of the Notice, the Respondent was advised that an application might be submitted to the Tribunal for an Eviction Order after 12th January 2026.
10. A notice in terms of Section 11 of the Homelessness Etc (Scotland) Act 2003 was sent on behalf of the Applicants to Glasgow City Council. The Applicants applied to the Tribunal for an Eviction Order on 5th February 2026.
11. The Applicants have an adult daughter Zayna Quayum who resides at home with them at 15 Newark Drive, Pollockshields Glasgow. She has recently started her fifth year at Glasgow University studying for a medicine degree.
12. The Applicant's property at 15 Newark Drive is overcrowded. The Applicants daughter wishes to move into the let property to allow her to have peace to study for her degree.
13. There are thirteen months' rent outstanding. The contractual rent for the property is £1100 per month. No rent has been paid by the Respondent since the tenancy started on 10th October 2025.
14. There was no appearance by or on behalf of the Respondent, nor had any submissions been made to the Tribunal on his behalf.
15. The Applicant's daughter intends to live in the property as her only or principal home for at least three months.
16. It is reasonable to make an Eviction Order.

Reasons for Decision

17. The Tribunal was satisfied having considered all the documentary evidence and the submissions from Mrs Quayum at the Case Management Discussion that it had sufficient information before it to make the relevant findings in fact and to enable it to reach a decision on the application.
18. The Tribunal accepted the documentary evidence and the unchallenged submissions from Mrs Quayum. There was no contradictory evidence before the Tribunal.
19. The Tribunal was satisfied that the Applicants had complied with the statutory requirements in relation to service of a Notice to Leave on the Respondent.

They had given notice to the local authority of the application in terms of section 11 of the Homelessness etc (Scotland) Act 2003.

20. The Tribunal was satisfied that the Applicant's daughter wished to move into the property and live there as her sole or principal residence while she studied for her degree at Glasgow University.
21. The Tribunal noted the extent of the rent arrears and the fact that the Respondent had not made any payment of rent since he took entry to the property.
22. The Tribunal considered the Respondent's circumstances insofar as they were available to the Tribunal. The information the Tribunal had was limited as he had chosen not to lodge submissions or appear at the Case Management Discussion. The Tribunal accepted that he might be at risk of homelessness in the event of eviction but noted that he had not opposed the application.
23. The Tribunal considered whether it was reasonable to make an Eviction Order on account of the information available to it. The Tribunal required to identify the factors which were relevant to reasonableness and then determine how much weight should be applied to them. The Tribunal attached considerable weight to the fact that the Applicant's daughter was in her final year of a challenging degree at Glasgow University and required suitable accommodation to live in while she studied. The Tribunal also attached considerable weight to the fact that the Respondent had accumulated significant rent arrears.
24. The Tribunal were satisfied that the provisions of paragraph 5 of schedule 3 to the 2016 Act had been met in this case. Having considered the factors relevant to reasonableness, the Tribunal concluded that it was reasonable for an Eviction Order to be granted.
25. The decision of the Tribunal was unanimous.

Decision

26. The Tribunal grants an order for eviction of the Respondent.

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.

Since an appeal is only able to be made on a point of law, a party who intends to appeal the tribunal's decision may wish to request a Statement of Reasons for the decision to enable them to identify the point of law on which they wish to appeal. A party may make a request of the First-tier Tribunal for Scotland (Housing and Property Chamber) to provide written reasons for their decision within 14 days of the date of issue of this decision.

Where a Statement of Reasons is provided by the tribunal after such a request, the 30 day period for receipt of an application for permission to appeal begins on the date the Statement of Reasons is sent to them.

Robert MacDonald

Robert MacDonald

05.10.2026

Legal Member/Chair

Date