



**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/18/2560

**Re: Property at Flat 25 Netherby Lawns, 1 Woodrow Road, Glasgow, G41 5PN
("the Property")**

Parties:

**West Coast Seven Ltd, Kittlestane Links Road, Longniddry, EH32 0NJ ("the
Applicant")**

**Ms Herpal Kaur, Flat 25 Netherby Lawns, 1 Woodrow Road, Glasgow, G41 5PN
("the Respondent")**

Tribunal Members:

Fiona Watson (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") determined that an order is granted against the Respondent(s) for
eviction of the Respondent(s) from the Property under section 51 of the Private
Housing (Tenancies) (Scotland) Act 2016, under ground 1 of Schedule 3 to the
said Act, in that the Landlord intends to sell the property.**

An application was submitted by the Applicant under Rule 109 of the First-tier
Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.
Said application sought an order for repossession of the property under Ground 1 of
Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 in that the
Landlord intends to sell the property. Attached to said application was a copy of a
signed estate agency agreement between the landlord and Caledonia Property to
sell the property.

A Case Management Discussion took place on 29 January 2019. Ms Sharon Anderson, the Applicant's agent, appeared on the Applicant's behalf. There was no appearance by or on behalf of the Respondent. The Tribunal received a letter dated 23 January 2019 from Castlemilk Law and Money Advice Centre on behalf of the Respondent advising that she did not intend to defend the application.

The Applicant's agent sought a repossession order to be granted. She advised that it was the landlord's intention to put the property on the market for sale as quickly as possible, following departure by the tenant.

The Tribunal was satisfied that:

1. The landlord, as the heritable proprietor of the property, is entitled to sell same; and
2. The landlord intends to sell the property for market value, or at least put it up for sale, within 3 months of the tenant ceasing to occupy it.

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) granted an order against the Respondent(s) for eviction of the Respondent(s) from the Property under section 51 of the Private Housing (Tenancies) (Scotland) Act 2016, under ground 1 of Schedule 3 to the said Act, in that the Landlord intends to sell 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.

Ms Fiona Watson

Legal Member/Chair



Date