



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/23/1285

Re: Property at 72 Monks Road, Airdrie, ML6 9QF (“the Property”)

Parties:

Mrs Lesley Singh (nee Miller), Manvir Singh, Milton Lockhart Estate, Rosebank, Carlisle, ML8 5QA (“the Applicant”)

Miss Lisa Morrow (nee Billingham), Mr Thomas Morrow, 72 Monks Road, Airdrie, ML6 9QF (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Angus Lamont (Ordinary Member)

Decision

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

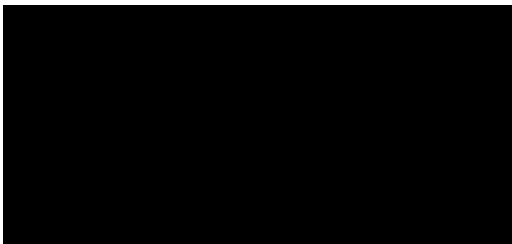
Statement of Reasons

1. This Application called for its Case Management Discussion by teleconference call on 11 July 2023. The Applicants were represented by Mr Matheson. The Respondents participated in the call personally.
2. This is an Application for eviction under section 33 of the Housing (Scotland) Act 1988. In terms thereof, the Applicants contend that the contractual short assured tenancy between the parties was brought to an end by service of a notice to quit, a valid notice under section 33(1)(d) of the 1988 Act was served on the Respondents, and it is reasonable to grant the eviction order. Mr Matheson advised the Tribunal that the Applicants intend to sell the Property as part of a larger liquidation of their letting portfolio.

3. The Respondents confirmed that they did not oppose the Application. They advised that they were already in discussions with the local authority regarding rehousing, but had been told that their housing application would not be progressed unless and until an eviction order was granted. They did not challenge the notices, nor did they challenge the reasonableness of granting the order. They were willing to move.
4. In all of the circumstances, the Tribunal was satisfied that the requirements of section 33 of the 1988 Act had been met and that it was reasonable to grant the eviction order. Accordingly, the eviction order was 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.



Legal Member/Chair

Date: 11/07/2023