

**Housing and Property Chamber**  
First-tier Tribunal for Scotland

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

**Chamber Ref: FTS/HPC/EV/19/1010**

**Re: Property at 45 Summerhill Drive, Glasgow, G15 7JB (“the Property”)**

**Parties:**

**Mr Harry Johal (also known as Hirdesh Singh Johal), 1/2, 52 Lawrence Street,  
Glasgow, G11 5HD (“the Applicant”)**

**Mr William Cord Greig, 45 Summerhill Drive, Glasgow, G15 7JB (“the  
Respondent”)**

**Tribunal Members:**

**Jim Bauld (Legal Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the  
Tribunal”) determined that the application for the order for possession should  
be granted**

**Background**

By application received 1 April 2019, the applicant sought an order under section 51 of the Private Housing (Tenancies) (Scotland) Act 2016 (“the Act”) and in terms of rule 109 of The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. On 17 April 2019 the application was accepted by the tribunal and referred for determination by the tribunal.

A Case Management Discussion was set to take place on 27 June 2019 and appropriate intimation of that hearing was given to both the landlord and the tenant

## **The Case Management Discussion**

The Case Management Discussion (CMD) took place on 27 June 2019. The applicant attended. The Respondent did not attend

The tribunal explained the purpose of the CMD and the powers available to the tribunal to determine matters

The tribunal asked various questions of the landlord with regard to the application and the grounds for eviction contained within it .

The landlord confirmed that he wished the order sought to be granted

## **Findings in Fact**

The Applicant and the Respondent as respectively the landlord and tenant entered into a tenancy of the property on 3 September 2018.

The tenancy was a private residential tenancy in terms of the Act

On 26 February 2019 the applicant served upon the tenant a notice to leave as required by the Act. The Notice became effective on 29 March 2019.

The notices informed the tenant that the landlord wished to seek recovery of possession using the provisions of the Act.

The notice was correctly drafted and gave appropriate periods of notice as required by law.

The notice set out a ground contained within schedule 3 of the Act, namely ground 1 that the landlord intends to sell the property.

The basis for the order for possession was accordingly established

## **Reasons for Decision**

The order for possession was sought by the landlord based on a ground specified in the Act and properly narrated in the notice served upon the tenant. The tribunal was satisfied that the notice had been served in accordance with the terms of the Act and that the landlord was entitled to seek recovery of possession based upon that ground and the relevant terms of the tenancy agreement which had been lodged with the application

The tribunal accepted the evidence of the landlord with regard to his intention to sell the property. The landlord produced clear evidence that he had instructed a firm of solicitors and estate agents to market the property for sale. The instructions had been acknowledged by the solicitors then by letter dated 25 February 2019 to the applicant confirming they were willing to act.

