



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51(1) of the Private Housing (Tenancies) (Scotland) Act 2016

Chamber Ref: FTS/HPC/EV/23/2462

Re: Property at 21 Bruce Road, Paisley, PA3 4SL (“the Property”)

Parties:

Mr Robert Mclerie, 10 Tannahill Crescent, Johnstone, PA5 0HL (“the Applicant”)

Miss Fiona Hawke, 21 Bruce Road, Paisley, PA3 4SL (“the Respondent”)

Tribunal Members:

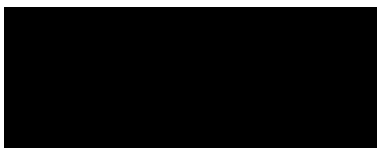
Lesley-Anne Mulholland (Legal Member) and Ahsan Khan (Ordinary Member)

1. This is an application under Section 51(1) of the Private Housing (Scotland) Act 2016 for an Order for Removal on the basis that the Applicant intends to sell the property to allow him to purchase the property he is currently renting and his landlord has informed him of his intention to sell.
2. The Applicant is the Landlord of the property. The Respondent is the Tenant.
3. A two-member Case Management Discussion (CMD) took place at 10.00 am on 20 November 2023 by teleconference. The Applicant and Respondent joined the discussion.
4. The Applicant informed us that he needs to purchase the house he is currently renting as his landlord intends to sell and if not to him, to someone else. In order to purchase this property, he needs to sell his own. He has arranged for an estate agent to market the property and has provided a copy of the contract, which we have seen.

5. The Respondent informed us that she has no opposition to the application to remove herself from the property as she understands the Applicant's predicament. She has her name down on the housing list and has been advised by the local authority to notify them if the order is granted.
6. Having considered all of the evidence before us, orally and in writing, we have decided to grant an Order for Removal. The Applicant has served a Section 11 Notice on the Local Authority and the Respondent can contact them to apply for suitable alternative housing. We have no information before us to indicate that there are any particular circumstances to demonstrate that the granting of the Order would not be reasonable in all the circumstances.
7. Accordingly, we grant an Order for Removal.

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 20 November 2023