



Decision with Statement of Reasons 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/24/2163

Re: Property at 25/6 Brunswick Road, Edinburgh, EH7 5GY (“the Property”)

Parties:

Mrs Shahanara Begum, 1 Blackchapel Road, Edinburgh, EH15 3QU (“the Applicant”)

Jamul Islam, Fahima Sultana Summa, 25/6 Brunswick Road, Edinburgh, EH7 5GY (“the Respondent”)

Tribunal Members:

Lesley-Anne Mulholland (Legal Member) and John Blackwood (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined to grant an order to Evict the respondents from the property.

Summary of Discussion

1. This is an application under Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016 for an Eviction Order as the Applicant Landlord intends to sell the property.
2. The Applicant is the owner and landlord. The Respondents are the Tenants.
3. A two-member hearing took place at 10.00 pm on 31 January 2025 by teleconference. The Applicant was represented by Miss Woolie. The Respondents were represented by Mr Wilson.

4. We refer to the Case Management Discussion note. There you see that we were informed that the Applicant requires to sell the property to release capital to carry out adaptations her home. The Applicant and her husband have a handful of rental properties. All are mortgaged except the property subject to this application which has the highest value. The rent is below market rate and there are high factoring fees. The rental income is her only income. She is winding down her investment portfolio. She has various mobility issues.
5. Mr Wilson helpfully informed us that the Respondent does not oppose the Order. Instead, she would like to delay the eviction by 1 month to avoid Ramadan.
6. Miss Woolie, having consulted with the Applicant agreed extra time.
7. Having considered all of the information individually and together, we decided to grant an Order to Evict and extend the period of notice to 60 days.

Outcome

- Application granted. An Order to Evict has been made.

NOTE: This document is not confidential and will be made available to other First-tier Tribunal for Scotland (Housing and Property Chamber) staff, as well as issued to tribunal members in relation to any future proceedings on unresolved issues.

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.

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Date 31 January 2025

Legal Member/Chair