



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) under Section 33 of the Housing 9Scotland)  
Act 1988**

**Chamber Ref: FTS/HPC/EV/25/3532**

**Re: Property at 45 Gallowhill Road, Fraserburgh, AB43 9JU (“the Property”)**

**Parties:**

**Mrs Amanda Simmons, Mr Spencer Simmons, 68 Broad Street, Fraserburgh,  
Aberdeen, Aberdeenshire, AB43 9AS (“the Applicant”)**

**Mr Aronas Arnavicius, Mrs Skaidrite Sternberga, 45 Gallowhill Road,  
Fraserburgh, AB43 9JU (“the Respondent”)**

**Tribunal Members:**

**Mark Thorley (Legal Member) and Elaine Munroe (Ordinary Member)**

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

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

- Background

The applicant applied to the tribunal by application dated 15<sup>th</sup> August 2025. Accompanying the application were several documents which included a copy of the tenancy agreement, Form AT6, notice to quit, section 33 notice and proof of service and section 11 notice and proof of delivery.

The application was served on the respondent by sheriff officers.

No written representation was received from the respondent.

- The Case Management Discussion

At the case management discussion Mr Gardner appeared on behalf of the applicant. An affidavit had been lodged by Mr Simmons one of the applicants. There was no appearance by or for the respondent.

Mr Gardiner made reference to the affidavit. This affidavit explained why the applicant wished to sell the property. There was equity contained within the property. The applicant had retired was now living in London. The applicant had a series of reasons to sell the property to fund various expenditures. The applicant had other properties some of which had already been sold. The respondent lived at the property without children. The circumstances of the respondent beyond this was not known

- Findings in Fact.
  1. The parties have entered into a tenancy agreement which was dated 27 June 2016
  2. The applicant wished to sell the property.
  3. The applicant had a variety of expenditures to make.
  4. The respondent lived at the property without children
- Reasons for Decision

The Tribunal accepted the evidence provided by the applicant in the affidavit. This was spoken to by Mr Gardner. The respondent had not provided any written representations nor did they attend at or were represented at the case management discussion. Accordingly their position was not set out.

The Tribunal accepted the evidence that been provided on behalf of the applicant and acknowledged that the applicant wished to sell the property to fund a variety of projects. The Tribunal also considered that it was reasonable to evict standing the circumstances that were known of the respondent.

- Decision  
To grant an order of eviction

## **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.**

M.Thorley

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Legal Member/Chair

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Date 13/10/2025