



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

**Chamber Ref: FTS/HPC/EV/25/1890**

**Re: Property at 60 Glenlossie Drive, Elgin, IV30 6YJ (“the Property”)**

**Parties:**

**Mr Grant Anderson, 18 Castle Gardens, Fochabers, IV32 7AE (“the Applicant”)**

**Miss Marney Louise Ironside, Mr Craig Douglas Findlater, 60 Glenlossie Drive, Elgin, IV30 6YJ (“the Respondents”)**

**Tribunal Members:**

**Richard Mill (Legal Member) and Tony Cain (Ordinary Member)**

**Decision**

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

Introduction

This is an eviction application under Rule 109 and Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016. Service of the proceedings and intimation of the Case Management Discussion (CMD) took place upon the respondents by Sheriff Officers on 28 October 2025.

The CMD took place by teleconference on 16 December 2025. The applicant was represented by Mr Gordon Alexander of Grampian Property Centre. The respondents joined personally and represented their own interests.

Findings and Reasons

The property is 60 Glenlossie Drive, Elgin IV30 6YJ. The applicant is Mr Grant Anderson who is the heritable proprietor of the property and the registered landlord. The respondents are Miss Marney Louise Ironside and Mr Craig Douglas Findlater.

The parties entered into a private residential tenancy in respect of the property which commenced on 2 August 2019.

The applicant relies upon ground 1 of schedule 3 to the 2016 Act. This is an eviction ground where the landlord intends to sell the let property. The notice period is one of 84 days. The notice to leave is dated 20 January 2025 and stipulates that the earliest an application be submitted to the tribunal would be 17 April 2025. The Notice to Leave was emailed and posted to the respondent on 20 January 2025. Sufficient statutory notice was given.

The applicant has produced a copy of the sales agreement with his agent dated 17 January 2025. The applicant is nearing retirement and wishes to consolidate their assets to purchase another property for themselves and their wife. The tribunal was satisfied based on the credible and reliable evidence produced that it is the applicant's genuine intention to sell the let property.

The tribunal proceeded to consider the issue of reasonableness of making of an eviction order.

The respondents are not opposed in principle to the eviction. Their only concern is the obtaining of alternative accommodation. They have taken a number of steps to seek to achieve this; making enquiries with the local council, housing associations and exploring private rented options. Both respondents are employed. They have no dependants.

A Section 11 notice has been issued to the relevant local authority. The tribunal was satisfied that that the respondents will be provided with alternate accommodation in the event of an eviction order being made.

Weighing up the respective circumstances of the parties, the tribunal concluded that it was reasonable to grant the eviction order. In view of the forthcoming holiday period the tribunal determined that it was fair and proportionate to delay enforcement, if necessary, until 30 January 2026.

### **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.**



16 December 2025

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Legal Member/Chair

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Date