



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/25/3418

Re: Property at 5 Lochburn Gate, Glasgow, G20 0SN (“the Property”)

Parties:

Bank of Scotland Plc, The Mound, Edinburgh, EH1 1YZ (“the Applicant”)

Mr Darren Miller, 5 Lochburn Gate, Glasgow, G20 0SN (“the Respondent”)

Tribunal Members:

Nairn Young (Legal Member) and Eileen Shand (Ordinary Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that

- Background

This is an application for an eviction order against the Respondent, who occupies the Property in terms of a private residential tenancy agreement with the Applicant’s secured debtor. It called for case management discussion (‘CMD’) at 2pm on 9 March 2026, by teleconference. The Applicant was represented on the call by Mrs Masters-Good of Aberdeen Considine LLP, solicitors. The Respondent was not on the call or represented. The commencement of the CMD was delayed by 10 minutes in case he was experiencing any technical difficulty; but there remained no contact from him.

The application and notice of the CMD were served on the Respondent by sheriff officers on 21 January 2026. The Tribunal was therefore satisfied that he was aware of the CMD and had chosen not to oppose the application.

- Findings in Fact

The Tribunal considered the following unopposed facts as relevant to its decision:

1. The Respondent lets the Property in terms of a private residential tenancy agreement which started on or around February 2018.
2. The Property is subject to a heritable security under which the Applicant is the creditor.
3. Decree was granted on 26 February 2024 at Glasgow Sheriff Court entitling the Applicant to sell the Property.
4. The Applicant requires the Respondent to leave the Property for the purpose of disposing of it with vacant possession.
5. On 3 March 2025, the Applicant delivered a notice to leave by sheriff officers to the Respondent, stating that it would rely on Ground 2 of Schedule 3 to the Private Housing (Tenancies) (Scotland) Act 2016 ('the Act') in any application to the Tribunal to follow.
6. There has been ongoing correspondence between the Applicant and Respondent, in an attempt to allow him an opportunity to find alternative accommodation, and as part of which the Applicant withheld making this application until 8 August 2025.
7. The Respondent occupies the Property on his own.

- Reasons for Decision

8. Ground 2 is established and, in particular, it is reasonable for the order to be granted. The sheriff court has granted decree entitling the Applicant to take possession of the Property and sell it. The Applicant has afforded him more time than it had to to find alternative accommodation. Against that, the Respondent has not presented any information that would suggest it is not reasonable to grant the order sought.

- Decision

Eviction order granted.

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.

Nairn Young

Legal Member/Chair

9th March 2026
Date