



**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/25/3273**

**Property : No.5 Cottage, East Huntingtower Farm, Perth PH1 3JJ (“Property”)**

**Parties:**

**A Ritchie and Sons, Mains of Huntingtower Farm, Perth PH1 3JJ (“Applicant”)**

**Carol Goodwillie, No.5 Cottage, East Huntingtower Farm, Perth PH1 3JJ (“Respondent”)**

**Tribunal Members:**

**Joan Devine (Legal Member)**

**Angus Lamont (Ordinary Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“Tribunal”) determined to grant an order for possession of the Property.**

The Applicant sought recovery of possession of the Property. The Applicant had lodged Form E. The documents produced were: a Tenancy Agreement which commenced on 5 September 2020 (“Tenancy Agreement”); Notice to Leave addressed to the Respondent under Section 50(1)(a) of the Private Housing (Tenancies) (Scotland) Act 2016 (“Act”) dated 11 April 2025 (“Notice to Leave”); statement of rent arrears indicating arrears of £6,490 at 5 July 2025; notification to the Local Authority in terms of Section 11 of the Homelessness Etc. (Scotland) Act 2003 with covering email. The Application was served on the Respondent by sheriff officer on 17 February 2026.

**Case Management Discussion (“CMD”)**

A CMD took place before the Tribunal on 1 April 2026 by teleconference. The Applicant was represented by James Ritchie. The Respondent was not in attendance. Mr Ritchie told the Tribunal that he served the notice to leave on the Respondent himself by hand delivery. He said he had the police carry out a welfare check which meant the locks on the Property had to be changed. He said his last contact with the Respondent was on 17 December 2025 when she said she would pick up a set of keys and remove her belongings from the Property. He said he had no further contact with the Respondent.

He said that he was aware that she has now taken up a tenancy of another property but her belongings remain in the Property and therefore he thought he needed an eviction order. Mr Ritchie said that the arrears are now £9,530. He said that he understood that the Respondent has been working as she owns a tractor and had planned to work on local farms. He said he did not know why she stopped paying rent. He said he understood that she lives alone.

### **Findings in Fact**

The Tribunal made the following findings in fact:

1. The Applicant and the Respondent entered into a Tenancy Agreement which commenced on 5 September 2020.
2. The Notice to Leave was served by hand delivery on 11 April 2025.
3. At the date of service of the Notice to Leave and the date of making the Application, the Respondent had been in rent arrears for three or more consecutive months.
4. Notification was provided to the Local Authority in terms of Section 11 of the Homelessness Etc. (Scotland) Act 2003.

### **Reasons for the Decision**

The Tribunal determined to make an Order for possession of the Property in terms of Section 51 of the Act. In terms of section 51 of the Act, the First-tier Tribunal may issue an eviction order against the tenant under a private residential tenancy if, on an application by the landlord, it finds that one of the eviction grounds named in schedule 3 applies. In the Notice to Leave the Applicant stated that they sought recovery of possession of the Property on the basis set out in ground 12 which is that the tenant has been in rent arrears for three or more consecutive months. The Tribunal considered the statement of rent arrears provided and determined that ground 12 had been established. Having considered all of the circumstances, and in the absence of a submission from the Respondent, the Tribunal determined that it was reasonable to issue an eviction order.

### **Decision**

The Tribunal grants an order for possession of the Property.

### **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.**

# Joan Devine

**Joan Devine  
Legal Member**

**Date : 1 April 2026**