



**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/26/1233

Re: Property at 8b Castle Place, Montrose, DD10 8AL (“the Property”)

Parties:

Mr John Dorward, Mrs Margaret Dorward, 27G North Street, Montrose, DD10 8NG (“the Applicant”)

Mr Scott Skinner, 8b Castle Place, Montrose, DD10 8AL (“the Respondent”)

Tribunal Members:

Nicola Irvine (Legal Member) and Angus Lamont (Ordinary Member)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the Applicants are entitled to the Order sought for recovery of possession of the property. The Tribunal ordered a delay in the execution of an eviction order until 8 November 2026, in terms of Rule 16A (d) of the First Tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017.

Background

1. The Applicants submitted an application under Rule 109 of the Housing & Property Chamber Procedure Regulations 2017 (“the Rules”) for an order to evict the Respondent from the property.
2. A Convenor of the Housing and Property Chamber (“HPC”) having delegated power for the purpose, referred the application under Rule 9 of the Rules to a case management discussion (“CMD”).
3. Letters were issued on 30 July 2026 informing both parties that a CMD had been assigned for 8 September 2026 at 2pm, which was to take place by

conference call. In that letter, the parties were also told that they were required to take part in the discussion and were informed that the Tribunal could make a decision on the application at the CMD if the Tribunal has sufficient information and considers the procedure to have been fair. The Respondent was invited to make written representations by 20 August 2026. No written representations were received from the Respondent.

The case management discussion – 8 September 2026

4. The CMD took place by conference call. The Applicants were represented by Mr Ritchie McNeil, solicitor. The Respondent joined the call and represented himself. The Tribunal explained the purpose of the CMD.
5. The Applicants' representative explained that the Property is the only rental property owned by the Applicants. They wish to retire and cease activity as a landlord, hence their decision to sell the Property.
6. The Respondent does not have any dependents and is the sole tenant of the Property. He is not opposed to the application and has been actively looking for alternative accommodation. He has been in contact with the local authority but has been told that he will not be treated as homeless or potentially homeless unless and until an order for eviction is granted.
7. The Tribunal adjourned the CMD briefly to enable the members to discuss matters in light of the information provided. When the CMD was reconvened, the parties were advised that the Tribunal found the ground of eviction established and that it was reasonable to grant an order for eviction. The Tribunal also explained that it had decided to delay the execution of the eviction order by a period of 2 months.

Findings in Fact

8. The Applicants are the owners and landlords of the Property at 8b Castle Place, Montrose, DD10 8AL.
9. The Respondent is the tenant of the Property.
10. The tenancy in question is a private residential tenancy which commenced on 7 June 2019.
11. A representative of the Applicants personally served a Notice to Leave on the Respondent on 5 November 2025.
12. The Applicants intends to sell the Let Property.

Reason for Decision

13. The Tribunal was satisfied that it could make relevant findings in fact in order to reach a decision following the CMD, and that to do so would not be contrary to the interests of the parties in this case.
14. The Tribunal proceeded on the basis of the documents lodged and the information provided at the CMD.
15. The Applicants have produced documentation from a letting agent who has been instructed to market the Property for sale if and when vacant possession is obtained. The Applicants' representative provided the reason why the Applicants wish to sell the Property. The Respondent did not oppose the application for an eviction order. and the ground of eviction was not disputed by him. The Tribunal was satisfied that the ground of eviction is established.
16. The Tribunal proceeded to consider whether it is reasonable to grant an order for eviction. There was no opposition the application. A cogent reason was given as to why the Applicants wish to cease activity as landlords. Taking account of these factors, the Tribunal decided that it is reasonable to grant an order evicting the Respondent from the Property.
17. The Applicants wish to recover possession of the Property in order to sell it. Despite efforts made by the Respondent, he has been unable to secure alternative accommodation thus far. The Tribunal decided to exercise its discretion in terms of Rule 16A (d) of the Rules and ordered a delay in execution of the eviction order by a period of 2 months. The Tribunal would expect the local authority to treat the Respondent as homeless from the date of this decision in order to identify suitable accommodation for him.

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.

Nicola Irvine

8 September 2026

Legal Member/Chair

Date