



**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/26/1892**

**Re: Property at 186 Allison Street (being the lefthand house on the first floor), Glasgow, G42 8RR (“the Property”)**

**Parties:**

**Barclays Bank UK Plc, 1 Churchill Place, London, E14 5HP (“the Applicant”)**

**Yasmin Ahmed, 186 Allison Street (being the lefthand house on the first floor), Glasgow, G42 8RR (“the Respondent”)**

**Tribunal Members:**

**Mrs Lesley Ward (Legal Member) and Mr Kingsley Bruce (Ordinary Member)**

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

**1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) determined that the respondent shall be evicted from the property on the basis of ground 2 of part 3 of schedule 3 of the Private Housing (Tenancies)(Scotland) Act 2016 (property to be sold by the lender), and it being reasonable in all of the circumstances that the eviction be granted.**

**Background**

2. This was a case management discussion (CMD) in connection with an eviction application in terms of rule 109 of the First-tier Tribunal for Scotland (Procedure) Regulations 2017 (the Rules) and section 52 of the Private Housing (Tenancies)(Scotland) Act 2016 (the Act). The applicant was represented by Mr Mark Oswald solicitor of TLT LLP. The respondent did not attend and was not represented. The tribunal had sight of the execution of service of the application by sheriff officer on 10 September 2026. The tribunal was satisfied that the respondent had received notice in terms of rule 24 of the Rules. The tribunal proceeded in her absence in terms of rule 29.

3. The tribunal had before it the following copy documents:

- (1) Private Residential Tenancy Agreement dated 19 June 2025.
- (2) Notice to leave dated 18 November 2026.
- (3) Proof of service of the notice to leave.
- (4) Section 11 notice and proof of service.
- (5) Land certificate.
- (6) Form BB.
- (7) Extract decree.
- (8) Letter to respondent dated 22 October 2025.

## **Case management discussion**

### **The applicant's position**

4. The applicant is seeking an eviction order so that they can realise their interest in it as heritable creditor. There are mortgage arrears of £101,885.63. The applicant has tried to communicate with the respondent who has failed to engage. The monthly mortgage payment is £400 and given the agreed rent is £1500, this would be more than enough to meet the mortgage payments however nothing has been paid since July 2025.

### **5. Findings in fact**

- The property is subject to a heritable security, and the applicant is the heritable creditor.
- There are mortgage arrears of around £101,885.63.
- The applicant was granted decree of possession by Glasgow Sheriff Court on 10 July 2025.
- The respondent and the owner of the property entered into a private residential tenancy agreement for let of the property on 19 June 2025.
- The respondent was served with a valid notice to leave on 19 November 2025.
- The applicant is entitled to sell the property.
- The applicant requires the tenant to leave for the purpose of disposing of it with vacant possession.
- The respondent is not opposed to the eviction order.

## **Reasons**

6. This was an undefended eviction application. The tribunal was satisfied that it had sufficient information before it to make a decision and the procedure had been fair. The tribunal first considered the validity of the notice to leave and the notice period. The notice to leave was dated 18 November 2025 and it stated that proceedings would not be raised before 13 February 2026. The applicant therefore gave 86 days notice whereas section 62 of the Act requires an additional day. The application was not made until 28 April 2026. The tribunal considered the reasoning in the recent upper tribunal decision of *Harcrow-v- Davies and Hunter* 2025 UT68 and was satisfied that this was a minor error in the notice which did not materially affect the effect of the notice in terms of section 73 of the Act.

7. The tribunal was satisfied that the eviction ground was met as the applicant had provided the calling up notice and the extract decree from Glasgow Sheriff Court.

8. Being satisfied that the eviction ground was met, the tribunal went on to consider the reasonableness of granting the eviction. The respondent does not appear to be opposed to the eviction application. The respondent has not engaged with the applicant and her circumstances were therefore unknown to the tribunal. There are significant mortgage arrears and nothing has been paid to the mortgage account since July 2025. The applicant is entitled to sell the property to pay off the debt.

9. The tribunal was satisfied it was reasonable in all of the circumstances to grant the eviction order.

### **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.**

Lesley Ward

19 October 2026

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Legal Member

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Date