



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/22/2717

Re: Property at 2 Target Road, Airdrie, ML6 9PU (“the Property”)

Parties:

Mr Manvir Singh, 9C OLD BOTHWELL ROAD, BOTHWELL, GLASGOW, G71 8AW (“the Applicant”)

Ms Theresa Marie Ramsey, 2 Target Road, Airdrie, ML6 9PU (“the Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Angus Lamont (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an eviction order should be granted, and that the Private Residential Tenancy between the parties will terminate on 24 April 2023.

STATEMENT OF REASONS

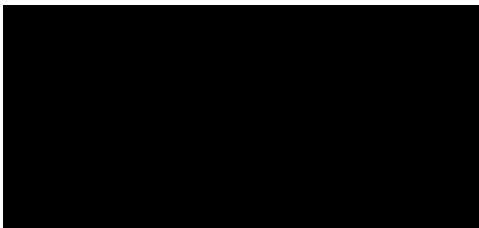
1. This Application called for its Case Management Discussion by teleconference call on 22 March 2023. The Applicant was represented by Ms Maguire of Jewel Homes. The Respondent was present on the call.
2. In this Application, the Applicant seeks an eviction order under ground 1 of the Private Housing (Tenancies) (Scotland) Act 2016. He claims that he intends to sell the Property, and that it is reasonable to grant the order.
3. At the CMD, the Respondent advised the Tribunal that she accepted that the Applicant intended to sell the Property. She also accepted that it was reasonable to grant the eviction order. The Respondent explained that she

had moved to the Property to assist in the care of her mother, who had dementia. The Respondent's mother passed away last year. The Respondent is now actively seeking housing in Ayrshire in order to be closer to her eldest daughter and grandchildren. She is in discussions with a local authority in Ayrshire regarding housing, but requires these proceedings to be determined against her before she will be put on the homeless list and qualify for rehoming. There was no reason why an eviction order should not be granted; in fact, it suits the Respondent that the order is granted.

4. The Tribunal was satisfied that, in light of the Respondent's concessions, there was no requirement for a Hearing. The Tribunal concluded that the Applicant intends to sell the Property, and that it is reasonable in all of the circumstances to grant the eviction order.
5. For completeness, for the purposes of section 51(4) of the 2016 Act, the Tribunal determined that the Private Residential Tenancy between the parties will terminate on 24 April 2023, being the earliest date for enforcement of the Tribunal's 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.



22/03/2023

Legal Member/Chair

Date