

Housing and Property Chamber
First-tier Tribunal for Scotland



**Confirmation of refusal/ lack of access following a Decision to Assist the
Landlord under Section 28A(3) of the Housing (Scotland) Act 2006 ("The Act")**

Ref FTS/HPC/RE/2534

HOUSE AT Flat 3/2, 457 Hawthorn Street, Glasgow G22 6EW

TENANT Ms Laura Gibson

**LANDLORD Mr Ross Carlin, 4 Dalkeith Avenue, Bishopbriggs, Glasgow G64
2HJ**

**LANDLORD REPRESENTATIVE DJ Alexander, 303 Byres Road, Glasgow G12
8UQ**

NAME OF AUTHORISED PERSONS;

-Ms Jamie Lee McKelvie (Representative of DJ Alexander)

**-Mr Barry McGunnigal (Gas Engineer), Gas Pro Heating and Plumbing Ltd, Unit
3, Leckie Court, Hamilton ML3 9FL**

As the Member deciding on the above application for entry by the landlord, I confirm that attempts have been made to assist the landlord in exercising their right of entry to the house under section 181(4) of the Act.

The attempts involved the following:

notification of the application made under section 28 A(1) on the tenant dated 29 August 2023;

intimation on tenant and landlord of decision to assist the landlord dated 7 September 2023;

consideration of representations from tenant on the application received on 18 October 2023 when the tenant requested a change from the date notified to her for right of entry to be exercised (19 October 2023) to a later date of 31 October 2023:

no further information was received or considered;

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 31 October 2023 at 10am;

notification by the Chamber of that date and time to both the tenant and landlord on 23 October 2023 by email and further to the tenant by Recorded Delivery on 26 October 2023;

receipt by the tenant of this notification is evidenced by Recorded Delivery "signed for" page confirming receipt.

I confirm that I observed the lack of access on 31 October 2023

I arrived at the property at 9:45am and met the landlord's authorised persons (Jamie Lee McKelvie of DJ Alexander and Barry McGunnigal of Gas Pro Heating and Plumbing). I gave several rounds of audible knocks on the door but there was no answer. The tenant had during that time emailed DJ Alexander to say she was unable to grant access. We left the property at 10:10am

L Forrest

Leslie Forrest

Member

First-tier Tribunal for Scotland (Housing and Property Chamber)

2 November 2023