



**Confirmation of refusal 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/22/2655**

**HOUSE AT:** Flat 4, Chalton Court,  
Chalton Road,  
Bridge of Allan,  
Stirling, FK9 4EG

**TENANT:** Mr Robert Macoch

**LANDLORD:** Mrs Linda Richeson,  
1729 W Reid Drive,  
W1 549414,  
United States

**LANDLORD’S  
REPRESENTATIVE:** Halliday Homes Sales and Lettings,  
56 Henderson Street,  
Bridge of Allan,  
Stirling, FK9 4HS

**PERSON THE LANDLORD  
AUTHORISED TO ENTER  
THE HOUSE:** Mr Mark Fraser  
Lettings Manager,  
Halliday Homes Sales and Lettings  
(Address as above)

As the member deciding on an application for entry by the landlord, I confirm that attempts have been made to assist the landlord in exercising her right of entry to the house under Section 181 (4) of the Act.

A notice dated 30 August 2022 of a decision to assist the landlord was sent to the tenant by recorded delivery post on 31 August 2022.

A form was enclosed with the notice for the tenant to supply suitable dates (with times, if appropriate) for access.

The notice explained that if the tenant failed, or refused, to respond within a fourteen-day period or failed to agree a suitable date and time for the landlord to exercise her right of entry, then I may fix a date and time for the landlord to enter.

The tenant was invited to make representations in writing to me as to why it would be inappropriate, or unnecessary, for the landlord to exercise her right of entry under section 181(4).

No response to the notice of 30 August 2022 was received.

By letter, dated 20 September 2022, the tenant was advised that a time and date for access had been set as 10:00 on Wednesday 05 October 2022. The letter was served by Sheriff Officer on 21 September 2022 by delivery to the tenant by means of a letterbox at Flat 4, Chalton Court, Chalton Road, Bridge of Allan, Stirling, FK9 4EG after diligent enquiries by the Sheriff Officer established the tenant resided at that address.

I attended at the property at the time and date specified. Also present were Mr Mark Fraser from Halliday Homes Sales and Lettings, and Mr Gerard O'Donnell (Venue Assistant).

I gave six loud knocks (two bouts of three) on the individual door to the said flat. There was no response.

I waited at the property until 10:20. The tenant did not arrive.

I confirm I observed there was a lack of access at 10:00 on Wednesday 05 October 2022.

C M. Campbell  
Member, First-tier Tribunal for Scotland (Housing and Property Chamber)

05 October 2022