



**Decision to Stop Assisting: Notification of decision under Section 28C (9) of the Housing (Scotland) Act 2006 (“The Act”)**

**Ref: FTS/HPC/RE/19/3508**

**HOUSE AT:** 16 Craigie Road,  
Hurlford, KA1 5EB

**TENANT:** Miss Kaya Stewart

**LANDLORD:** Miss Tiffany Gillies,  
19 Loudoun Court,  
Darvel, KA17 0BF

**LANDLORD’S REPRESENTATIVE:** Miss Laurie Weir,  
Residential Lettings Manager,  
Murphy Scoular,  
22/24 John Finnie Street  
Kilmarnock, KA1 1DD

**AUTHORISED PERSONS:** Personnel from:  
The Letting Team,  
Murphy Scoular,  
22/24 John Finnie Street  
Kilmarnock, KA1 1DD

I have reviewed the application, dated 01 November 2019, and information subsequently received. I have decided to stop assisting the landlord as I am entitled to do at any time under Section 28C (9) of the Act. The decision has been made for the following reasons:

- When the tribunal member and one of the landlord’s authorised persons attended at the property on 10 January 2020, it was evident that the property was unoccupied.
- A neighbouring resident informed the tribunal member that the tenant had been seen removing her belongings from the property some weeks previously and had not resided in the property since then.
- The authorised person acknowledged that the tenant no longer resided in the property and, in his judgement, had not done so for circa two months.

- The authorised person informed the tribunal member that the landlord's representative intended to take action to recover possession of the property.
- Given the circumstances as described, I do not consider it appropriate for the tribunal to continue to assist the landlord in relation to the application to which this notice refers.

**In terms of Section 28A (8) of the Act, this decision of the member is final.**

C Campbell

Colin M. Campbell

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

14 January 2020