



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

Ref: FTS/HPC/RE/22/3764

HOUSE AT: 74 Sycamore Avenue,
Johnstone,
Renfrewshire, PA5 0BL

TENANT: Miss Kim McTavish

LANDLORD: Position Property Limited,
Charolais Barn,
Shut Green Lane,
Stafford,
Staffordshire, ST19 9LX

LANDLORD’S REPRESENTATIVE: Cairn Estate and Letting Agency,
34 Gibson Street,
Glasgow, G12 8NX

PERSONS THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE: Mrs Gemma Waters,
Operations, Compliance and Training Manager,
Cairn Estate and Letting Agency,
(Address as above)
and
Operatives from Quinnergy Ltd.,
4 Barn Street Mews,
Strathaven, ML10 6YT

I have reviewed the application, dated 13 October 2022, and all information subsequently received. Including information obtained during a visit to the property.

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:

I attended the property with a Venue Assistant at 10:00am on Wednesday 14 December 2022, being the time and date intimated to the parties. Also present were Mr Mark Coll from Cairn Estate and Letting Agency and a Gas Engineer from Quinnergy Limited. There was no response to several loud knocks on the door to the flat.

Windows of the flat were heavily iced both internally and externally which was inconsistent with a flat that was occupied.

Views through the letterbox and kitchen window highlighted a lack of the items that would normally be on view in occupied accommodation.

There was domestic furniture and other discarded items outside the door to the flat. The items appeared to have been there for some time.

An inspection of the external gas meter by the gas engineer revealed there was no longer any live supply of gas to the flat. The engineer reported that the emergency credit had all been used.

The abovementioned circumstances lead to the reasonable conclusion that the tenant no longer occupies the property.

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

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

19 December 2022