



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/19/3805

HOUSE AT 13 Fintrie Terrace, Hamilton, South Lanarkshire, ML3 9QT

TENANT Mr Benjamin George Baird

LANDLORD Macnair Property Limited, Glenbrook House, 22A Lesmahagow Road, South Lanarkshire, ML10 6DA

LANDLORD REPRESENTATIVE Cairn Estate & Letting Agent, 34 Gibson Street, Glasgow, G12 8NX

Dylan Wood (Gas Engineer – Gas Safe Register No:4616447)

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 17 January 2020;

intimation on tenant and landlord of decision to assist the landlord dated 21 January 2020;

no representations were received from tenant on the application;

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 28 February 2020;

notification by the Chamber of that date and time to the tenant and landlord on 13 February 2020

I confirm that I observed the refusal/lack of access on 28 February 2020.

(I personally knocked on the front door of the property using the letterbox flap several times and then knocked on the door itself as there was no doorbell. I waited for approx. five to ten minutes along with the Landlord's representative from Cairn Lettings and the Gas Engineer and no-one responded. I then noticed that one of the windows nearest to the front door was broken and the Gas Engineer looked through the windows and reported that there was no furniture or belongings in the property. It would appear that the tenant has already moved out.)

M Lyden

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

02 March 2020