

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision to Stop Assisting (After Tenant Representations): Notification of decision under Section 28A(7) of the Housing (Scotland) Act 2006 (“The Act”)

Ref FTS/HPC/RE/20/0782

HOUSE AT GFL Flat (Flat A), 23 Malcolm Road, Peterculter, Aberdeen, AB14 0XA

TENANT Ms Cassie Wilson

LANDLORD Mr James Gray, Mrs Deborah Gray, 15 St Ronans Drive, Peterculter, Aberdeen, AB14 0RA; 15 St Ronans Drive, Peterculter, Aberdeen, AB14 0RA

I have considered the written representations received from the tenant on 14 May 2020, made under Section 28A(6) of the Act, explaining why they feel it is inappropriate or unnecessary for the landlord to exercise their right of entry under Section 181(4) of the Act. Following consideration of these representations and my further investigation of the issues raised I have made the decision to stop assisting the landlord.

This decision has been made for the following reason(s):- It is clear from the written representations from both parties that the dispute is not fundamentally about access, but rather the standard of work carried out to date, and areas of concern around the Repairing Standard and repairs which may or may not be required to the property. These are not issues that I can decide upon. I consider that these issues must be resolved prior to any further application being lodged with the First Tier Tribunal for Scotland, Housing and Property Chamber. As a tribunal member I cannot offer any advice but would recommended that the parties consider mediation or arbitration, further information is available on the Scottish Government website at <https://www.mygov.scot/resolve-housing-dispute/>. Alternatively, if the tenant considers the property does not meet that Repairing Standard they may apply to the Tribunal for a decision in that regard.

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

H P Barclay

Helen P Barclay

15 May 2020

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