



**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/21/0563**

**HOUSE AT 14 John Morton Crescent, Darvel, KA17 0JJ**

**TENANT Ms Alicia Potoniec**

**LANDLORD Mr Ragulan Sriskanthan, C/O Chesnutt Skeoch Ltd, 30 East Main  
Street, Darvel, KA17 0HP**

**LANDLORD REPRESENTATIVE Chesnutt Skeoch Ltd, 30 East Main Street,  
Darvel, KA17 0HP**

**MR JOHNSTONE – PROPERTY MANAGER  
MR GORMAN – ELECTRICIAN  
MR WHEELAN - HANDYMAN**

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 14 February 2021;

intimation on tenant and landlord of decision to assist the landlord dated 22 April 2021;

consideration of further information in the form of the landlord's email and attachment of 30 April 2021;

consideration of representations from tenant on the application received on 17 May 2021;

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 2 June 2021 at 10.00 am;

notification by the Chamber of that date and time to the tenant and landlord on 20 May 2021;

receipt by the tenant of this notification on 21 May 2021 is evidenced by Royal Mail Track and Trace Delivery Receipt NL668951270GBXX;

I confirm that on the basis of the information received since the scheduled date, that there was a refusal/lack of access on 2 June 2021 at 10.00 am

The **tenant** advised by email on 7 June 2021 that quote:

*'The landlord was meant to gain access on 2<sup>nd</sup> June to complete the repairs and check the electrics.*

*I ensured to be out of the property on that day so that Chesnutt Skeoch could just carry on with repairs.*

*I came back to the property in the evening, and nothing was done''.*

The **landlord** advised by email on 9 June 2021 that he was unable to gain access to the property.

M Lyden

Tribunal Member  
First-tier Tribunal for Scotland (Housing and Property Chamber)  
23 June 2021