



**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/21/1187**

**HOUSE AT 33 Craigmount Road, Dundee, DD2 4QH**

**TENANT Ms Lynne Waterson**

**LANDLORD Mr Angus Maclachlan, Mrs Sheila Maclachlan, 25 Muirfield Road, Dundee, DD3 8NW; 25 Muirfield Road, Dundee, DD3 8NW**

**LANDLORD REPRESENTATIVE None,**

**PERSONS THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE Electrician of DBS Electrical, Unit 4 Taygate Industrial Estate, Coldside Road, Dundee DD3 8DF, Plumber of APS Dundee Ltd, 29 Commercial Street, Dundee, DD1 3DG and Kenny Cargill, Joiner, 138 Nethergate, Dundee, DD1 4ED**

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 10 May 2021

intimation on Tenant and Landlord of Decision to Assist the Landlord dated 29 June 2021

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 10.30am on 20 August 2021

notification by the Chamber of that date and time to the Tenant and Landlord on 28 July 2021

receipt by the Tenant of this notification is evidenced by Sheriff Officer letter of 29 July 2021

I confirm that on the basis of the information received since the scheduled date, that there was a refusal of access on 20 August 2021

Tenant subsequently contacted the Chamber by telephone to state she has health issues as has her daughter so she was not happy to grant access. The Tenant also stated she is dyslexic so cannot write to confirm any of the above. The Chamber had given her details of the Citizen Advice Bureau in Dundee if help was needed. There has been more recent telephone contact with the Tenant who continues to refuse to give any consideration of or on access.

M Scott

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

13 September 2021