



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

Tenant telephoned on 25 August 2021 stating health issues were preventing access and a GP letter of 1 November 2021 was submitted by the Tenant to outline this

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 10.30 on 18 February 2022

notification by the Chamber of that date to the Tenant and Landlord on 27 January 2022

receipt by Tenant of this notification is evidenced by Sheriff Officer on 1 February 2022

I confirm that a colleague Member observed the refusal of access on 18 February 2022 as did the Sheriff Officer who was in attendance to serve a Warrant for Entry on the Tenant

refusal of access was confirmed by email of 18 February 2022 from my colleague Member and email of 22 February 2022 from the Sheriff Officer

not only was entry refused but the Tenant apparently displayed threatening behaviour toward the tradesmen who were also present to carry out necessary repairs on entry and the Warrant for entry could not therefore be implemented and further attempts will require to be made to do so – with protection for all concerned

M Scott

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

25 February 2022