

Housing and Property Chamber
First-tier Tribunal for Scotland



**Rejection of Application: Notification of decision under Section 28A(3) of the
Housing (Scotland) Act 2006 (“The Act”)**

*Reference within this Notice to “regulations” refers to The First-tier Tribunal for
Scotland Housing and Property Chamber (Procedure) Regulations 2016*

Ref FTS/HPC/RE/20/1696

HOUSE AT 39 Criffell Road, Mount Vernon, Glasgow, G32 9JE

TENANT Mr David Simpson

**LANDLORD Mr Paul McFarlane, Mrs Margaret McFarlane, 7 Penryn Gardens,
Glasgow, G32 9NY; 7 Penryn Gardens, Glasgow, G32 9NY**

**LANDLORD REPRESENTATIVE 1-2-Let (Lettings & Sales) Ltd, 104 Bellgrove
Street, Glasgow, G31 1AA**

As the member asked to decide on the application for access by the landlord to the property, detailed above, I am writing to advise of that decision.

The Landlord’s application consists of all documents received (on/between) 13 August 2020 and 22 September 2020. I have concluded that no further information is required before a decision can be made. After considering the application, taking into account the terms of Section 28A(3) of the Act, I have decided that the application should be rejected.

The grounds for rejection are listed in Section 55(1)(a-e) of the regulations. I have decided this application should be rejected on the following ground:

(d) the member considers that the application is being made for a purpose other than a purpose specified in section 181(4) of the Act;

The reason for rejection under this ground is the application form states access is required for a valuation survey, this is not a criteria under section 181(4); a survey only complies with the criteria if it is to view its state or condition for the purpose of determining whether it meets the repairing standard.

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

E.Dickson

Elizabeth Dickson

Member

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

23 September 2020