

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/23/3491

HOUSE AT	114 Mariners View, Ardrossan, KA22 8BH
TENANT	Miss Chantelle McCartney
LANDLORD	Miss Suzanne Arnold, C/O 31 Parkgrove Drive, Edinburgh, EH4 7QH

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) 3 October 2023 and 10 November 2023. 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:

- a) the member has good reason to believe that it would not be appropriate to assist either the landlord or any person the landlord intends to authorise to enter the house, or both, to gain entry to the house;

The reason for rejection under this ground is that the Landlord has failed to provide evidence of their registration as a landlord or that an application for such registration has been submitted to the relevant local authority in accordance with S83 of the Antisocial Behaviour etc (Scotland) Act 2004.

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

Gordon Laurie

Member

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

10 January 2024