



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/23/4694

HOUSE AT 53/2 George IV Bridge, Edinburgh, EH1 1EJ

TENANT Mr James Mckenzie

LANDLORD Orrion Properties Ltd, The Inch, Kirk Street, Tweedsmuir, Scottish Borders, ML12

NAME OF AUTHORISED PERSON

Mr Rober Orr, Property Manager, Orion Properties Ltd, The Inch, Kirk Street, Tweedsmuir, Scottish Borders, ML12 6QP

A representative from Scott & Co. Messenger at Arms,9, Melville Crescent, Edinburgh EH3 7LZ.

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:

intimation on tenant and landlord of decision to assist the landlord dated 9 February 2024,

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 25 March 2024 at 9.30am;

notification by the Chamber of that date and time to the tenant and landlord on 13 March 2024,

receipt by the tenant of this notification is evidenced by a Certificate of Service from Sheriff Officers dated 14 March 2024,

I confirm that I observed the refusal/lack of access on 25 March 2024 at 9.30am

The landlord has made several attempts to access the property providing necessary notice periods to the tenant of proposed access dates. The tenant has failed to engage with the landlord or the Tribunal. The property appears to be unoccupied however there is currently insufficient evidence to enable the landlord to take legal action at this stage to repossess the property.

S Brydon

10 April 2024

Member

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