

Housing and Property Chamber
First-tier Tribunal for Scotland



**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/23/2937

**HOUSE AT Flat 9 Eglinton Court, 5 Lethington Avenue, Shawlands, Glasgow
G41 3HA**

TENANT Mr Michael Reynolds

LANDLORD Mr Mervyn Delmonte

LANDLORD REPRESENTATIVE n/a

NAME OF AUTHORISED PERSONS;

-Mr. Mervyn Delmonte (Landlord)

**-Mr. D. Nimo (DRN Heating and Bathrooms), 6 Barnhill Drive, Glasgow, G21
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 21 September 2023;
- intimation on tenant and landlord of decision to assist the landlord dated 3 October 2023;
- 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 7 November 2023 at 1:30pm;
- notification by the Chamber of that date and time to the tenant and landlord on 30 October 2023;

-receipt by the tenant of this notification is evidenced by Sheriff Officers Certificate of Intimation

-I confirm that I observed the lack of access on 7 November 2023

I arrived at the Property at 1:20pm and met with Mr. M. Delmonte (Landlord) and Venue Assistant Mr. G. O'Donnell. At 1:30 I gave several rounds of six audible knocks on the door, to which there was no response. The Landlord also attempted to telephone the Tenant but his call was not answered.

L Forrest

Leslie Forrest

Member

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

7 November 2023