

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/23/4231

HOUSE AT 6 Stirling Street, Coatbridge, ML5 5QP

TENANT Ms Nicola Leonard

LANDLORD Mr Gholamali Ghahfarokhi, 13 Tinto Grove, Glasgow, G69 7TJ

LANDLORD REPRESENTATIVE n/a

NAME OF AUTHORISED PERSONS;

- Mr Gholamali Ghahfarokhi (Landlord)
- Representative of Kwik Gas (Gas Engineers) Mr Ali Givaki

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 25 January 2024;
- intimation on tenant and landlord of decision to assist the landlord dated 5 February 2024;
- consideration of representations from tenant on the application received on 11 February 2024;
- 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 19 March 2024 at 10am;
- notification by the Chamber of that date and time to the tenant and landlord on 28 February 2024

-receipt by the tenant of this notification is evidenced by Sheriff Officers Certificate of Intimation of Service on 29 February 2024

I confirm that I observed the refusal/lack of access on 19 March. Just before 8am on 19 March the Tenant contacted the Tribunals Administration stating that she had made arrangements for access to be provided but that this could only happen at 12 noon. As such the Tribunal made arrangements for the Landlord, the Gas Engineer and the Panel Member to change the set time to 12 noon. I arrived at the Property at 11:40am and met the Landlord and Gas Engineer. At 12 noon I gave six several audible knocks at the door but there was no response. I left the Property at 12:10pm.

Leslie Forrest
Member
First-tier Tribunal for Scotland (Housing and Property Chamber)
20 March 2024