



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/24/1921

HOUSE AT 30 Croall Place, Kelty, KY4 0DY

TENANT Mr Garry Grandison

LANDLORD Mr Edward Cleave, 2 Bowhouse Drive, Fife, KY1 1SB

LANDLORD REPRESENTATIVE Fife Letting Service, 119 Victoria Road, Fife, KY1 1DS

NAME OF AUTHORISED PERSON : Malcolm Michie, GSM Electricals

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:

First attempt

- notification of the application made under section 28 A(1) on the tenant dated 27/6/2024
- intimation on tenant and landlord of decision to assist the landlord dated 27/6/2024
- no representations were received from tenant on the application apart from advising re availability w/b August 19th 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 23/8/2024 at 10 a.m.
- notification by the Chamber of that date and time to the tenant and landlord on 12/8/2024
- receipt by the tenant of this notification is evidenced by record of recorded delivery

I confirm that I observed the lack of access on 23/8/2024 at 10 a.m. The tenant did not appear to be present. We knocked on the door on two occasions with a ten minute interval.

Second attempt

- setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 14/10/2024 at 3 p.m.
- notification by the Chamber of that date and time to the tenant and landlord letter dated 27/9/2024 and served by Sheriff Officer 30/9/2024
- receipt by the tenant of this notification is evidenced by record of Sherrif Officer service.
- Time of appointment amended to 2.30 p.m. and notified to tenant via email 10/10/2024

I confirm that I observed the lack of access on 14/10/2024 at 2.30 p.m. The tenant did not appear to be present. We knocked on the door on two occasions with a ten minute interval. The Venue Assistant advised that he had been approached prior to 2.30 by a person leaving the address who said the door was unlocked. The person leaving the address did not identify themselves to the Venue Assistant and did not return whilst we were present.

J Heppenstall

18/10/2022

Member

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