

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/24/4427

HOUSE AT	38C Bank Street, Kilmarnock, KA1 1HA
TENANT	Mr Archie Phiri
LANDLORD	Mr Gordon McKee, Linmore, 57A Main Street, Dundonald, KA2 9HH
LANDLORD REPRESENTATIVE	Limegreen Estate Agents Ltd, 14 The Cross, Prestwick, KA9 1AJ
NAME OF AUTHORISED PERSONS	Malcolm Irving, Limegreen Assessor

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 both dated 12 March 2025;

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 30 April 2025 at 10.00am;

notification by the Chamber of that date and time to the tenant and landlord both dated 1 April 2025;

receipt by the tenant of this notification is evidenced by a Sheriff Officer's Certificate of Intimation confirming service on the tenant on 2 April 2025.

I confirm that I observed the lack of access on 30 April 2025.

On 30 April 2025 I personally attended at the Property at 10.00am along with a Venue Assistant and the Authorised Person. Despite giving several loud and repeated knocks on the door of the Property and shouting through the door there was no response from within.

G Laurie

Gordon Laurie

Member

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

06 May 2025