

Housing and Property Chamber
First-tier Tribunal for Scotland



Decision to Stop Assisting: Notification of decision under Section 28C(9) of the Housing (Scotland) Act 2006 ("The Act")

Ref FTS/HPC/RE/23/3606

HOUSE AT 20B (Upper Right Salisbury Street, (AKA 20B Salisbury Street), Kirkcaldy, KY2 5HN

TENANT Mr Christopher Easson

LANDLORD Mr Alex Jarrett, Mrs Shona Jarrett, 8 Old Edinburgh, Boarhills, Fife, KY16 8PZ; 8 Old Edinburgh, Boarhills, Fife, KY16

I have reviewed the application received on 10 October 2023 and all information subsequently received and have made a decision to stop assisting the landlord, as I am entitled to do at any time under Section 28C(9) of the Act. This decision has been made for the following reasons:

In accordance with the relevant legislation, I have applied for a warrant to force entry to the property on two occasions. On both occasions, the application was opposed by the tenant and the Justice of the Peace declined to consider the application. I was informed by the Sheriff Clerk that the warrant application in its present format could not be considered by the Sheriff and that civil proceedings would require to be taken. As there is no provision in the legislation for the Tribunal to make a civil application against a landlord or tenant, I am unable proceed.

In terms of Section 28A(8) of the Act this decision of the member is final.

S Brydon

30 June 2025

Member

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