

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/24/5373

HOUSE AT 15 Glen Avenue, Flat 1/2/Flat D, Port Glasgow, PA14 5AA

TENANT Miss Margaret Canning

**LANDLORD Mr Jim Harvey, Mrs Teresa Harvey, 30 Orchard Crescent, Port
Glasgow, Inverclyde, PA14 5DS; 30 Orchard Crescent, Port Glasgow,
Inverclyde, PA14 5DS**

**LANDLORD REPRESENTATIVE CS Properties Scotland Ltd, 20 Poltery Street,
Suite 25, Ladyburn Business Centre, Greenock, PA15 2UH**

NAME OF AUTHORISED PERSON

**Catherine McGugan (Office Manager) or Lauren Fox (Accounts/Property
Assistant), CS Properties Scotland, Suite 25 Ladyburn Business Centre, 20
Pottery Street, Greenock, Renfrewshire,
David Hyslop (Director) Boilers on Tap, 1 Galt Street, Greenock, Scotland,
PA15 2EW
Alan Bateman (Director) Bateman Electrical Services, 2 Glen Street, Greenock,
Scotland, PA16 8BN**

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 November 2024 served by Sheriff Officers on 20 March 2025;

intimation on tenant and landlord of decision to assist the landlord dated 13 March 2025 served by Sheriff Officers on 20 March 2025;

consideration of representations from the tenant on the application received on 29 March 2025;

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 25th June 2025 at 10am;

consideration of further information in the form emails from the Landlord's representative, with copy emails from the tenant dated 24th June 2025 informing them that she would not be available on 25th June 2025;

setting of another date and time by the panel member for the landlord to exercise the said right, that date and time being 15th July 2025 at 10 am;

notification by the Chamber of that date and time to the tenant and landlord on 30th June 2025;

receipt by the tenant of this notification is evidenced by Certificate of Intimation from Walker Love, Sheriff Officers;

I confirm that I observed the refusal/lack of access on 15 July 2025 at 10 am;

I attended the property at the scheduled time, also in attendance were Mr.Saeed, venue assistant, Catherine McGugan (Office Manager) CS Properties Scotland, David Hyslop, Gas Engineer, Boilers on Tap, and 2 Electricians from Bateman Electrical Services

I proceeded to the property at 10 am and gave several loud audible knocks on the door and there was no response. I repeated this several times until 10.10am, I remained in the vicinity of the property until approximately 10.15. There was no evidence or indication that anyone was in the property.

E Dickson
Member
First-tier Tribunal for Scotland (Housing and Property Chamber)
17th July 2025