

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/25/0139

HOUSE AT 20 Blackhill Brae, Crossgates, Cowdenbeath, KY4 8FH

TENANT Mr Jamie Forsyth

LANDLORD LAR Housing Trust, F3 Buchan House, Enterprise Way, Dunfermline, Fife, KY11 8PL

PERSON THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE

Jacky Macdonald, Operations Manager LAR

I have reviewed the application received on 14 January 2025 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 reason(s):

A scheduled attempt to exercise the landlord's right of entry took place on 25 June 2025 at 12:00, attended by Jacky Macdonald, the landlord's representative, and the Tribunal Member. The tenant had been formally notified by Sheriff Officer of the date and time, with service effected on 3 June 2025. The notification stated that access was required under Section 181(4) of the Housing (Scotland) Act 2006 to enable or assist the landlord to carry out actions permitted under that section. The tenant did not respond to the Tribunal at any stage of the process.

Despite several audible knocks at the door, there was no response from the tenant. On inspection, the property appeared to be vacant, left insecure and open to the elements.

The landlord's representative advised at the visit that an application for repossession is currently before the Tribunal and is due to be heard shortly. It was also reported that neighbours believe the tenant has vacated the property.

In light of the possible abandonment of the property, the pending eviction proceedings, and the overall circumstances, the Tribunal has concluded that it is not proportionate or necessary to proceed with an application for a warrant to enforce access for an inspection.

Accordingly, assistance in this Right of Entry case is now brought to an end.

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

Ahsan Khan -Member

26th June 2025

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