



Rejection of Application: Notification of decision under Section 28A(3) of the Housing (Scotland) Act 2006 ("The Act")

Reference within this Notice to "regulations" refers to The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017. Reference to "rules" refer to The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 in schedule 1 of the said regulations

Ref FTS/HPC/RE/25/3777

HOUSE AT 3/M, 14 Brown Constable Street, Dundee, DD4 6QZ

TENANT Maciej Pac, Aneta Czekaj

LANDLORD Spearhead Properties Ltd, 26-28 High Street, Dundee, DD1 1TA

LANDLORD REPRESENTATIVE Belvoir Lettings, 26-28 High Street, Dundee, DD1 1TA

As the member asked to decide on the application for access by the landlord to the property, detailed above, I am writing to advise of that decision.

The Landlord's application consists of all documents received (on/between) 4 September 2025 and 26 August 2026. I have concluded that no further information is required before a decision can be made. After considering the application, taking into account the terms of Section 28A(3) of the Act, I have decided that the application should be rejected.

The grounds for rejection are listed in rule 8 (1) of schedule 1 of the regulations as follows:

8.—(1) *The Chamber President or another member of the First-tier Tribunal under the delegated powers of the Chamber President, must reject an application if—*

- (a) they consider that the application is frivolous or vexatious;*
- (b) the dispute to which the application relates has been resolved;*
- (c) they have good reason to believe that it would not be appropriate to accept the application;*

(d) they consider that the application is being made for a purpose other than a purpose specified in the application; or

(e) the applicant has previously made an identical or substantially similar application and in the opinion of the Chamber President or another member of the First-tier Tribunal, under the delegated powers of the Chamber President, there has been no significant change in any material considerations since the identical or substantially similar application was determined.

I consider that in this case the application is to be rejected on the following ground:

(c) they have good reason to believe that it would not be appropriate to accept the application;

The reason for rejection under this ground is lack of contact from the landlord following a number of attempts to clarify the applicant's position.

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

J Heppenstall

2/9/26

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