



**Confirmation of refusal 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/23/0945**

<b>HOUSE AT:</b>	<b>Flat 1/2, 42 Pendeen Crescent, Glasgow, G33 4TL</b>
<b>TENANT:</b>	<b>Ms Laura Knox</b>
<b>LANDLORD:</b>	<b>Mr Steven Johnston, 93 Maxwell Drive, Glasgow, G69 6RP</b>
<b>LANDLORD'S REPRESENTATIVE:</b>	<b>247 Property (Scotland) Ltd., 1257 Shettleston Road, Glasgow, G32 7NG</b>
<b>PERSON THE LANDLORD AUTHORISED TO ENTER THE HOUSE:</b>	<b>Mr Darren Healy, Electrician, 1192 Tollcross Road, Glasgow, G32 8HQ.</b>

As the member deciding on an application for entry by the landlord, I confirm that attempts have been made to assist the landlord in exercising his right of entry to the house under Section 181 (4) of the Act.

A notice, dated 18 May 2023, of a decision to assist the landlord was sent to the tenant by recorded delivery post on 23 May 2023.

A form was enclosed with the notice for the tenant to supply suitable dates (with times, if appropriate) for access.

The notice explained that if the tenant failed, or refused, to respond within a fourteen-day period or failed to agree a suitable date and time for the landlord to exercise his right of entry, then I may fix a date and time for the landlord to enter.

The tenant was invited to make representations in writing to me as to why it would be inappropriate, or unnecessary, for the landlord to exercise his right of entry under section 181(4).

No response to the notice of 18 May 2023 was received.

By letter, dated 08 June 2023, the tenant was advised that a time and date for access had been set as 10:00am on Wednesday 21 June 2023. The letter was served by Sheriff Officer on 09 June 2023 by delivery to the tenant by means of a letterbox at Flat 1/2, 42 Pendeen Crescent, Glasgow, G33 4TL after diligent enquiries by the Sheriff Officer established the tenant resided at that address.

I attended the property at the time and date specified. Also in attendance were Mr Gerard O'Donnell (Venue Assistant), and Mr Darren Healy (Electrician).

I gave twelve loud knocks (three bouts of four) on the individual door to the said flat. There was no response.

I waited at the property until 10:15am. The tenant did not arrive.

I confirm I observed there was a lack of access at 10:00am on Wednesday 21 June 2023.

Colin M. Campbell  
Member, First-tier Tribunal for Scotland (Housing and Property Chamber)

23 June 2023