

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**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*

**Ref: FTS/HPC/RE/19/2504**

**HOUSE AT:** Flat 0/1, 12 Torrisdale Street,  
Strathbungo,  
Glasgow,  
G42 8PZ

**TENANT:** John Allan

**LANDLORD:** Tracey Murphy  
Flat 1/2, 75A Stonelaw Road,  
Rutherglen,  
G73 3TN

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 consisted of all documents received (on/between) 12 August 2019 and 10 October 2019. After considering the application, taking into account the terms of Section 28A (3) of the Act, I have decided the application should be rejected.

The grounds for rejection are listed in Section 8 (1) (a-e) of the regulations. I have decided this application should be rejected on the following ground:

(b) the dispute to which the application relates has been resolved.

The reason for rejection under this ground is based on the landlord's lack of response to the tribunal's communications of 11 October 2019 and 01 November 2019 in which the tribunal made enquiries as to the landlord's intentions with regard to an Eviction Order that the landlord had stated was granted on 23 September 2019.

Given the lack of response from the landlord to the enquiries, it is reasonable to conclude that the landlord has achieved access to the property and no longer requires the tribunal's assistance in that regard.

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

C M Campbell

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

19 November 2019