



**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 2016*

**Ref FTS/HPC/RE/21/0275**

**HOUSE AT 30 Arran Crescent, Kirkcaldy, KY2 6DJ**

**TENANT Miss Carol Page**

**LANDLORD Munro Family Agent, 4 Culzean Crescent, Kirkcaldy, KY2 6UZ**

**LANDLORD REPRESENTATIVE Munro Family Agent, 4 Culzean Crescent,  
Kirkcaldy, KY2 6UZ**

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) 5 February 2021 and 22 April 2021. 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 Section 55(1) (a-e) of the regulations. I have decided this application should be rejected on the following ground:

- a) the member has good reason to believe that it would not be appropriate to assist either the landlord or any person the landlord intends to authorise to enter the house, or both, to gain entry to the house.

The reason for rejection under this ground is that there is insufficient information regarding the notification to the tenant that access is required and of any evidence of actual delivery. (Evidence of delivery can take the form of an email or recorded delivery receipt, written acknowledgement of delivery from the tenant and any subsequent correspondence in relation to the notification.)

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

# M Lyden

Tribunal Member

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

7 July 2021