



**Notice in terms of Section 28A (5) of a Decision to Assist the Landlord under
Section 28A (3) of the Housing (Scotland) Act 2006 (“The Act”)**

Ref: FTS/HPC/RE/21/0353

HOUSE AT: 31 Warmanbie Road,
Brydekirk,
Nr Annan,
Dumfriesshire, DG12 5ND

TENANT: Mr Joseph Sturgeon

LANDLORD: Mr Ross Anderson,
Millriggs Farm,
Hutton,
Boreland,
Lockerbie, DG11 2PB

REPRESENTATIVE: Mr Kirsty E Anderson,
Millriggs Farm,
Hutton,
Boreland,
Lockerbie, DG11 2PB

**PERSONS THE LANDLORD
INTENDS TO AUTHORISE
TO ENTER THE HOUSE:** (1) Mr Lewis Murray, Builder
(2) Mr Ryan Johnstone, Electrician
(3) Representative from Ferrie Heating Services

As the Member allocated to decide on the application made by the landlord for entry to the property detailed above, I have considered the application paperwork, comprising documents received between 17 February 2021 and 4 May 2021.

I have concluded that no further information is required before a decision in terms of Section 28A (3) of the Act can be made. I have decided to assist the landlord in exercising his right of entry to the house.

The landlord is seeking entry to the property for the purpose of:

- **viewing its state and condition for the purpose of determining whether the house meets the repairing standard, and**
- **carrying out any work necessary to comply with the duty in Section 14(1)(b) of the Act.**

I am now seeking to arrange a suitable time for the landlord to exercise his right of entry under Section 181(4).

A form is enclosed for all parties to supply suitable dates (with times, if appropriate) to me. It should be returned within 14 days beginning with the date of receipt of this notice.

If the tenant fails, or refuses, to respond within the period given above, or fails 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 may, within the period given above, make representations in writing to me as to why it is inappropriate or unnecessary for the landlord to exercise his right of entry under section 181(4). The tenant will receive with this notice a form to complete for the purpose of supplying representations. If representations are made by the tenant, I will consider these and advise all parties of my decision.

Colin Campbell

Colin M. Campbell

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

06 May 2021