



**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/20/2491**

**HOUSE AT:** 50a Marketgate,  
Arbroath, DD11 1AT

**TENANT:** Mrs Sylvia Cantwell

**LANDLORD:** Mr David Peacock,  
c/o Wardhaugh Property,  
155 High Street,  
Arbroath, DD11 1DR

**LANDLORD’S  
REPRESENTATIVE:** Wardhaugh Property,  
155 High Street,  
Arbroath, DD11 1DR

**PERSONS THE LANDLORD  
INTENDS TO AUTHORISE  
TO ENTER THE HOUSE:** Gas Engineer from H20, and  
D.J. Anderson, Electrician

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 02 December 2020 and 10 December 2020.

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:

- **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 the landlord's 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.

# C M Campbell

Colin M. Campbell

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

10 December 2020