



**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/18/3480

HOUSE AT: 1B Verdun Place,
Dumfries, DG1 2EE

TENANTS: Dr John Macharia Muri
Mr Joseph Opiyo

LANDLORD: Miss Janet McSherry,
35 Marchmount Avenue,
Dumfries, DG1 1NR

**LANDLORD’S
REPRESENTATIVE:** G. M. Thomson & Co,
35 Buccleuch Street,
Dumfries, DG1 2AB

**PERSON THE LANDLORD
INTENDS TO AUTHORISE
TO ENTER THE HOUSE:** Ms Eilidh Strachan
Sales and Letting Agent
G. M. Thomson & Co,
35 Buccleuch Street,
Dumfries, DG1 2AB

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 which comprises documents received between 20 December 2018 and 11 January 2019.

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

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

- **viewing its state and condition for the purpose of determining whether the house meets the repairing standard.**

I am now seeking to arrange a suitable time for the landlord to exercise her 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 tenants fail, or refuse, to respond within the period given above, or fail to agree a suitable date and time for the landlord to exercise her right of entry, then I may fix a date and time for the landlord to enter.

The tenants 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 landlords' right of entry under section 181(4).

The tenants will receive with this notice a form to complete for the purpose of supplying representations. If representations are made by the tenants, I will consider these and advise all parties of my decision.

Colin M. Campbell

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

12 January 2019