



**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/18/3484

HOUSE AT: 46 Fort Street,
Ayr, KA7 1DE

TENANT: Mr Douglas Swan

LANDLORD: Mrs Sally Ward,
c/o The McKinstry Company,
39 Sandgate,
Ayr, KA7 1BE

**LANDLORD’S
REPRESENTATIVE:** The McKinstry Company,
39 Sandgate,
Ayr, KA7 1BE

**PERSONS THE LANDLORD
INTENDS TO AUTHORISE
TO ENTER THE HOUSE:** Personnel employed, or engaged by,
DR Fraser
Joiners and General Building Contractors
16 Airthrey Avenue,
Glasgow, G14 9JR

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 21 December 2018 and 30 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:

- **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 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 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 her 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 landlords' 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 M. Campbell

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

04 February 2019