

Housing and Property Chamber
First-tier Tribunal for Scotland



**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/23/2051

HOUSE AT: 12 Bankhead Terrace,
Lanark, ML11 9BW

TENANT: Ms Gail Dow

LANDLORD: Mr Ian Johnson,
25 Rosebank,
Carluke, ML8 5BQ

**PERSONS THE LANDLORD
INTENDS TO AUTHORISE
TO ENTER THE HOUSE:** Operatives from:
1) 2 Core Electrics,
48 Southfield Road,
Kirkmuirhill,
Lanark, ML11 9SA, and

2) CRS Plumbing & Heating Renewables Ltd.,
67 Hospitland Drive,
Lanark, ML11 7EH

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 documentation received between 22 June 2023 and 4 September 2023

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 for the purposes 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 (or dates and times) for the landlord, and/or authorised persons, to enter for the purposes as described above.

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 the tenant makes representations, I will consider these and advise all parties of my decision.

Colin M. Campbell

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

05 September 2023