



**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/23/1488

HOUSE AT: 1B Buccluech Street,
Hawick,
Scottish Borders, TD9 0HH

TENANT: Mr Colin Thomas Bouglas

LANDLORDS: Mr Michael Heyes, and
Miss Jacqueline Turnbull,
The Cottage, Fingerpost Lane,
Norley,
Cheshire, WA6 8LE

**PERSONS THE LANDLORDS
INTEND TO AUTHORISE
TO ENTER THE HOUSE:** (1) Mr Tony Elliot,
Bannerman Burk Properties Ltd.,
28 High Street,
Hawick,
Scottish Borders, TD9 9EH

(2) Roxburgh Heating Ltd.,
85 High Street,
Hawick,
Scottish Borders, TD9 9BL

(3) Michael Jeffrey Electrical,
23 Longhope Drive,
Hawick,
Scottish Borders, TD9 0DU

As the Member allocated to decide on the application made by the landlords for entry to the property detailed above, I have considered the application paperwork, comprising documents received between 11 May 2023 and 20 June 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 landlords in exercising their 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 landlords to exercise their 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 suitable dates and times for the landlords to exercise their right of entry, then I may fix a date and time (or dates and times) for the landlords and/or their 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 landlords to exercise their 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, I will consider these and advise all parties of my decision.

C M. Campbell

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

26 June 2023