



Decision to Stop Assisting: Notification of decision under Section 28C (9) of the Housing (Scotland) Act 2006 (“The Act”)

Ref: FTS/HPC/RE/22/1217

HOUSE AT: 7 Castle Drive,
Airth,
Falkirk, FK2 8GD

TENANT: Anton MacLaren

LANDLORD: Steven Warnock,
35 Douglihill Place,
Port Glasgow, PA14 5DN

LANDLORD’S REPRESENTATIVE: Ritehome Ltd.,
350 Glasgow Harbour Terraces,
Glasgow, G11 6EG

PERSONS THE LANDLORD AUTHORISED TO ENTER THE HOUSE:

- (1) Colin Dickson,
C Dickson Electrical,
2 Rhindmuir Grove,
Ballieston,
Glasgow G69 6NE
- (2) Muhammed Iqbal
M I Gas Services,
21 Camp Road,
Glasgow, G69 6QR

I have reviewed the application, dated 27 April 2022, and all information subsequently received.

I have decided to stop assisting the landlord, as I am entitled to do at any time under Section 28C (9) of the Act.

Background to Decision

I attended at the property at 09:30 on Thursday 11 August 2022, being the time and date set for access. Also in attendance were Mr Robert Nixon ((Ritehome Ltd.), Mr Colin Jackson (Electrician) and Muhammed Iqbal (Gas Engineer).

The tenant voluntarily allowed Messrs Nixon, Jackson and Iqbal to enter the property. It was reported to me by all three that conditions within the property were such that it was not possible to undertake a proper inspection of the property nor was it possible to safely carry out either an Electrical Installation Condition Report (EICR) or a Gas Safety Inspection.

With the tenant's agreement, I entered the property. It was clear that there were significant issues that would have to be dealt with before it could be established whether the property complied with the repairing standard and enable an EICR and Gas Safety Inspection to be carried out.

In my presence, the tenant gave an undertaking to the landlord's representative of the action the tenant intended to take. The landlord's representative acknowledged the undertaking and explained to the tenant what steps the landlord was likely to pursue if the undertaking was not complied with.

The decision to stop assistance has been made for the following reason:

The issues at the property are not matters that can be dealt with by the tribunal as part of its consideration of the 'Right of Entry' application.

In terms of Section 28A (8) of the Act, this decision is final.

Colin M. Campbell
Member - First-tier Tribunal for Scotland (Housing and Property Chamber)

15 August 2022