



**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/22/3155

HOUSE AT: 47 Lanehead Terrace,
New Cumnock,
East Ayrshire, KA18 4EW

TENANT: Ms Carolanne McCrae

LANDLORD: Mr David Litman,
20 Craigens Road,
Cumnock,
East Ayrshire, KA18 3AS

PERSONS THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE:

- (1) Mr David Litman (Landlord)
- (2) Mr Ryan Calder (Electrician)
- (3) A Gas Engineer from O’Neil Gas & Plumbing Services, Ayr.

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 documents received between 31 August and 10 October 2022.

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.

The landlord is seeking entry to the property for the purpose 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 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 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)

19 October 2022