



Confirmation of refusal/ lack of access following a Decision to Assist the Landlord under Section 28A(3) of the Housing (Scotland) Act 2006 (“The Act”)

Ref FTS/HPC/RE/20/1848

HOUSE AT 205 Hazel Road, Cumbernauld, G67 3BP

TENANT Miss Amy Beattie

LANDLORD Mr Michael Quinn, Mrs Anne Quinn, 3 Broomhill Wynd, Monifieth, Dundee, DD5 4RE; 3 Broomhill Wynd, Monifieth, Dundee, DD5 4RE

LANDLORD REPRESENTATIVE Rent Locally, 42-46 Cadzow Street, Hamilton, ML3 6DS

NAME OF AUTHORISED PERSON - KM Services

As the Member deciding on the above application for entry by the landlord, I confirm that attempts have been made to assist the landlord in exercising their right of entry to the house under section 181(4) of the Act.

The attempts involved the following:

notification of the application made under section 28 A(1) on the tenant dated 2 September 2020;

intimation on tenant and landlord of decision to assist the landlord dated 30 September 2020

consideration of representations from tenant on the application received on 2 September 2020

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 2 November 2020 at 10 am.

receipt by the tenant of this notification is evidenced by 2 November 2020 when they wrote to intimate they required a rescheduled appointment. This was then arranged for 18th November at 2p.m.

On 4 December 2020 confirmed by email from Shirley Anne McCulloch, that no access was given on 18 November at 2p.m.

I confirm that on the basis of the information received since the scheduled date, that there was a refusal/lack of access on 18th November 2020 at 2 p.m. This was observed by the landlord representative who was at the front door.

On 1st February 2021 a second attempt to gain access was arranged. There was no access gained on this date. This was confirmed on 9th February by Shirley Anne McCulloch the landlord representative.

Helen P Barclay

H Barclay

10 February 2021

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



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

Ref FTS/HPC/RE/20/1848

HOUSE AT 205 Hazel Road, Cumbernauld, G67 3BP

TENANT Miss Amy Beattie

LANDLORD Mr Michael Quinn, Mrs Anne Quinn, 3 Broomhill Wynd, Monifieth, Dundee, DD5 4RE; 3 Broomhill Wynd, Monifieth, Dundee, DD5 4RE

LANDLORD REPRESENTATIVE Rent Locally, 42-46 Cadzow Street, Hamilton, ML3 6DS

NAME OF AUTHORISED PERSON - Shirley Ann McCulloch

I have reviewed the application received on 2 September 2020 and all information subsequently received and have made a decision to stop assisting the landlord, as I am entitled to do at any time under Section 28C(9) of the Act.

This decision has been made for the following reason(s): There have been two attempts to gain access on 18 November 2020 and also on 1st February, 2021. Access was not granted by the tenant on both occasions. Under current Government Guidance and Restrictions for COVID protection we cannot take this application any further.

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

H Barclay