



**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/23/0276

HOUSE AT 2b Dildawn House, Dildawn Estate, Kelton,
Castle Douglas, DG7 1SE

TENANT Miss Joanne Parker

LANDLORD Mr William Moultrie, Dildawn House, Dildawn Estate,
Kelton, Castle Douglas, DG7 1SE

PERSON THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE:

Employee(s) of Flame On Heating Services
Ian Rooney, plumbing and heating engineer
James Anderson, plumber
Employee(s) of Richardson and Starling, property preservation and repairs
Kenny McBride, electrician
Ralph Maxwell, joiner
James Weatherall, plasterer
Ally Fenan, painter and decorator.

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. This comprises documents received between 27 January 2023 and 6 March 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 and have decided to assist the landlord in exercising their right of entry to the house.

The landlord is seeking entry for the purpose of:

**carrying out any work necessary to comply with the duty in section 14(1)(b) of
the Act, in particular carrying out work under a Repairing Standard Enforcement
Order dated 23 November 2022 under Reference FTS/HPC/RT/22/2939**

I am now seeking to arrange a suitable time for the landlord 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, and 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 their 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 the member as to why it is inappropriate or unnecessary for the landlord to exercise the landlord's 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 by the tenant I will consider these and advise both parties of my decision.

Given the extent of works proposed, the Landlord and the Tenant are strongly encouraged to agree a mutually convenient timetable for these works to be carried out.

G Laurie

6 March 2023

Gordon Laurie

Member

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