

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**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/23/2850**

**HOUSE AT 45 Tudsbery Avenue, Edinburgh, EH16 4YW**

**TENANT Ms Heather Hiram**

**LANDLORD Edinburgh Living MMR LLP**

**LANDLORD REPRESENTATIVE Umega Lettings & Estate Agents, 10 Lister  
Square, Edinburgh, EH3 9GL**

**PERSON THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE  
AND GARDEN – P MULDOON of CCG Scotland UK**

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 on/between 18 August 2023 and 25 September 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

The planned works are as follows : 1/ Scaffolding erected 2 days approx 1.75m in to the garden should leave 4.5to5m free space 2/ Remove existing render dusted noise moderate 2 days 3/ check timber noise low 4/ install new rendered boards screwing noise slight 5/ apply new render beads mesh coat render 2 days noise low 6/ apply primer no noise 4 hours 7/ apply top coat render noise low 1 day 8/Clean down /inspection noise low 1day 9/ apply new mastic noise low 4 hours 10/ remove scaffolding noise low 1day 11/ clear ground handover noise low 1day The Scaffolding will be erected for 6 weeks (weather dependent}

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.

# Eileen Shand

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