

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

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**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/21/2730**

**HOUSE AT 6D Thistle Street, First Floor Right, Peterhead, AB42 1TD**

**TENANT Mr Lee Munro**

**LANDLORD John Robertson Mortification Trust a charity, C/O Stewart and Watson, 35 Queen Street, Peterhead, AB42 1TF**

**LANDLORD REPRESENTATIVE Stewart & Wilson, 35 Queen Street, Peterhead, AB42 1TP**

**NAME OF AUTHORISED PERSON Andrew Moir, Plumber/Gas Engineer, c/o James Moir Plumbing, 165 Prunier Drive, Peterhead, AB42 1ZG**

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 28 October 2021

intimation on Tenant and Landlord of decision to assist the Landlord dated 7 January 2022

no representations were received from Tenant on the application

further information in the form of returned mail of 19 January 2022 by Royal Mail of the letter of intimation of the letter of 7 January 2022 to the Tenant

setting of a date and time by the Panel Member for the Landlord to exercise the said right, that date and time being 10am on 14 February 2022

notification by the Chamber of that date and time to the Tenant and Landlord on 4 February 2022

Sheriff Officer deposited notification to Tenant at the property on 8 February 2022

I confirm that on the basis of information received since the scheduled date, that there was a lack of access on 14 February 2022

Landlord representatives emailed on 14 February to say when they and Plumber or Gas Engineer had called at 10am on that day no entry was gained and no-one was home and it appears that the Tenant may no longer be living there. There is a continuing concern over a lack of gas safety inspection

# M Scott

Mike Scott

Member

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

22 February 2022