

Housing and Property Chamber
First-tier Tribunal for Scotland



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/22/1770

HOUSE AT 44 Netherton Road, East Kilbride, G75 9LA

TENANT Miss Amy Leigh Brown

LANDLORD D and D Moncur, D and D Moncur, Harmony, 25 The Highlands, Bexhill on Sea, TN39 5HL; Harmony, 25 The Highlands, Bexhill on Sea, TN39 5HL

LANDLORD REPRESENTATIVE The Property Bureau, 70 Drymen Road, Bearsden, G61 2RH

NAME OF AUTHORISED PERSON PERSON THE LANDLORD INTENDS TO AUTHORISE TO ENTER THE HOUSE

Kris McCluskey, Gas Engineer, KMGAS, 57 Micklehouse Road, Glasgow G69 6TG

Agent from The Property Bureau, 70 Drymen Road, Bearsden, G61 2RH

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 4th July 2022;

intimation on tenant and landlord of decision to assist the landlord dated 4th July 2022;

no representations were received from tenant on the application;

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 17th August 2022 at 10.30 am;

notification by the Chamber of that date and time to the tenant and landlord on 8th August 2022

receipt by the tenant of this notification is evidenced by Certificate of Intimation from Walker Love, Sheriff Officers;

I confirm that I observed the lack of access on 17th August 2022 at 10.30 am;

I attended the property at the arranged time accompanied by Gerry O'Donnell the Venue Assistant, also in attendance was Paul McClusky the Landlord's Representative from The Property Bureau and Chris McCluskey, Gas Engineer.

The Landlord's Representative gave several loud knocks on the door this was repeated throughout the 10 minutes we remained at the door of the property. There was no response inside from the property. I remained outside the property until 10.45 there was no sign of the tenant.

E Dickson
Member
First-tier Tribunal for Scotland (Housing and Property Chamber)
19th August 2022