



**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/23/0178**

**HOUSE AT 10/1 Southhouse Square, Edinburgh, EH17 8DP**

**TENANT Mr Tor Sagen**

**LANDLORD Mr David McMenemy, 12 Douglas Road, Leslie, KY6 3JZ**

**LANDLORD REPRESENTATIVE**

**NAME OF AUTHORISED PERSON**

Mr David McMenemy (Landlord)  
Malcolm Fallas Heating Ltd (gas engineer)

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 March 2023**;

intimation on tenant and landlord of decision to assist the landlord dated **7 March 2023**

no representations were received from tenant on the application;

no further information was received or considered;

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being **Tuesday 4th April 2023 at 10am**;

notification by the Chamber of that date and time to the tenant and landlord on **7th March 2023**

receipt by the tenant of this notification is evidenced by a Certificate of Intimation from the Sheriff Officers dated **7 March 2023**;

I confirm that I observed the refusal/lack of access on **4th April 2023**

During the observation of the access attempt on 4th April the property appears to be unoccupied and I heard from the Landlord of attempts to trace the tenant and that neighbours have confirmed that the property appears to be unoccupied.

10 April 2023

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