

**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/22/1613**

**HOUSE AT Flat 5/5, West Winnelstrae, Edinburgh, EH5 2ES**

**TENANT Miss Iona Hamilton**

**LANDLORD Mr Alex Spowart, Ms Ruth Lothian, Flat 82/3, West Ferryfield,  
Edinburgh, EH5 2PU; Flat 82/3, West Ferryfield, Edinburgh, EH5 2PU**

**LANDLORD REPRESENTATIVE ELP Arbuthnott McClanachan, 98 Ferry Road,  
Edinburgh, EH6 4PG**

**NAME OF AUTHORISED PERSON :- Craig Lothian, Green Door Property  
Auctions – 0131 322 8550**

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 25 May 2022;

intimation on tenant and landlord of decision to assist the landlord dated 29 July 2022

no representations were received from tenant on the application;

consideration of further information in the form of suitable access dates from solicitor 15 August 2022

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 10 August 2022;

notification by the Chamber of that date and time to the tenant and landlord on 19 August 2022

receipt by the tenant of this notification is evidenced by Sherriff Officer intimation of service with notification of pending visit 19 August at 9.45am.

I confirm that I observed the lack of access on 14 September at 11am.

This was observed by the venue assist, landlords and agent from Green Door. All blinds were closed in the property, 3 windows were open. The post box had mail from 6 weeks ago. The locks had been changed. It looked as though the tenant had left the property around mid July.

14 September 2022

HELEN P BARCLAY

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