



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/18/3331

HOUSE AT Flat 0/2, 2172 Dumbarton Road, Glasgow, G14 0JJ

TENANT Miss Stacey Paterson

LANDLORD A Need To Sell, Office 2 Room 8, Kirkhill House, Broom Road East, Glasgow, Newton Mearns, G77 5LL

NAME OF AUTHORISED PERSONS

Mr Kevin Carlin, Electrician
Mr Brian Howard Caplan (for landlord)
Mr James McMillan (for landlord)

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 7th December 2018
- intimation on tenant and landlord of decision to assist the landlord dated 9th January 2019
- no representations were received from the tenant on the application;
- further information from the landlord was received by email dated 6th February 2019 and considered, resulting in an amendment to the persons authorised to enter the property, and a change of date proposed to exercise the right of entry;
- setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being the 6th day of March 2019.
- notification by the Chamber of that date and time to the tenant and landlord by letter dated the 18th day of February 2019.

- receipt by the tenant of this notification is evidenced by the Royal Mail “track and trace” confirmation of delivery of tracking number NL 0965 4299 0GB

I confirm that I observed the lack of access on the 6th day of March 2019 at 11.30.

I attended the property on 6th March 2019, meeting there authorised persons Mr Kevin Carlin and Mr James McMillan who provided satisfactory identification. Following no answer to the repeated pressing of the button relating to the flat number “0/2” on the controlled door entry system panel, Mr James McMillan gave several audible knocks on the ground floor window to the front of the property. Again there was no response and therefore no entry to the property was provided by the D Bartos

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

8th March 2019