



**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/21/0455**

**HOUSE AT:** 10B (Ground floor) Jessiman Square,  
Renfrew, PA4 8EB

**TENANT:** Miss Wendy McEachan

**LANDLORD:** Marble Properties Ltd.,  
272 Bath Street,  
Glasgow, G2 4JR

**PERSONS THE LANDLORD  
AUTHORISED TO ENTER  
THE HOUSE:** (1) Mr Alan Wong, Marble Properties Ltd.  
(2) Mr Stephen Fraser, 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) sent to the tenant on 11 May 2021.
- Intimation on tenant and landlord of a decision to assist the landlord. The decision, dated 06 May 2021, was sent to the tenant on 11 May 2021.
- No representations were received from the tenant. A letter confirming that no representations had been received was sent to the tenant on 02 June 2021.
- A date and time were set by the tribunal member for the landlord to exercise their right of entry, that date and time being 29 June 2021 at 1 pm.
- Notification of that date and time was sent to the tenant and landlord on 16 June 2021.
- A compliance check letter was sent to tenant on 30 June 2021. No response was received.

- An email was received from the landlord on 29 June 2021 confirming that the authorised persons had attended the property on 29 June 2021 at 1pm and that access was not obtained. A copy of the landlord's email was sent to the tenant.

Given the information from the landlord and the lack of any information to the contrary from the tenant, it is reasonable to conclude that the authorised persons were unable to access the property on 30 June 2021 at 1pm which had been the date and time that the tribunal had set.

C M Campbell

Colin M. Campbell

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

06 October 2021