

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/22/4376

HOUSE AT 3 Wester Muirdean, Kelso, TD5 7RP

TENANT Mr Robin Heatlie

**LANDLORD Trustees of the Fifth Lord Buddulph Trust, Makerstoun Estate,
Kelso, TD5 7PA**

LANDLORD REPRESENTATIVE FBR Seed Ltd, Rose Lane, Kelso, TD5 7AP

NAME OF AUTHORISED PERSONS

-Mr David Platt, Surveyor and Managing Agent (FBR Seed Ltd)

-Mrs Lois Renton, Property Manager (FBR Seed Ltd)

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 5 January 2023;

Intimation on tenant and landlord of decision to assist the landlord dated 12 January 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 2 March 2023 at 10am;

Notification by the Chamber of that date and time to the tenant and landlord on 6 February 2023;

Receipt by the tenant of this notification is evidenced by Certificate of Intimation from Sheriff Officers dated 7 February 2023.

I confirm that I observed the lack of access on 2 March 2023 at 10am when I attended the Property along with Mr David Platt and Mrs Lois Renton of FBR Seed Ltd. Several rounds of six audible knocks on the door were made but there was no response.

L Forrest

Leslie Forrest

Member

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

2 March 2023