



**Rejection of Application: Notification of decision under Section 28A(3) of the
Housing (Scotland) Act 2006 (“The Act”)**

*Reference within this Notice to “regulations” refers to The First-tier Tribunal for
Scotland Housing and Property Chamber (Procedure) Regulations 2016*

Ref FTS/HPC/RE/20/2321

HOUSE AT Cairnhill, Ringford, Castle Douglas, DG7 2AL

TENANT Mr Colin McQuat

**LANDLORD Mrs Mary Robertson, 9 Castle Gardens, Kirkcudbright, Castle
Douglas, DG6 4JE**

**LANDLORD REPRESENTATIVE G M Thomson & Company, 35 Buccleuch
Street, Dumfries, DG1 2AB**

As the member asked to decide on the application for access by the landlord to the property, detailed above, I am writing to advise of that decision.

The Landlord’s application consists of all documents received (on/between) 4 November 2020 and 9 December 2020. I have concluded that no further information is required before a decision can be made. After considering the application, taking into account the terms of Section 28A(3) of the Act, I have decided that the application should be rejected.

The grounds for rejection are listed in Section 55(1)(a-e) of the regulations. I have decided this application should be rejected on the following ground:

**the member considers that the application is being made for a purpose
other than a purpose specified in section 181(4) of the Act;**

The reason for rejection under this ground is :-

The letting agent has confirmed in the application that the purpose of the inspection is to conduct a *“routine inspection to ensure that (sic) there are no issues within the property and that the tenants are happy and have no issues themselves to report”*. These purposes are not specified in section 181(4) of the Act, and no information has been provided to suggest either that there is concern that the property fails to

meet the repairing standard which requires an inspection, or that repairs works are necessary, as required by the Act.

In terms of Section 28A(8) of the Act this decision of the member is final.

A Khan

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

9/12/20