

Housing and Property Chamber
First-tier Tribunal for Scotland



**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/23/2328

HOUSE AT 12 Coyle Drive, Gartcosh, G69 8FF

TENANT Mr Adam Mills

LANDLORD Mrs Adeola Adeleke, 15 Clugston Court, Kirkintilloch G66 1FA

**LANDLORD REPRESENTATIVE 1-2-LET (Lettings & Sales) Ltd, 104 Bellgrove
Street, Glasgow, G31 1AA**

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) 14 July 2023 and 31 August 2023. 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 grounds:

- a) the member has good reason to believe that it would not be appropriate to assist either the landlord or any person the landlord intends to authorise to enter the house, or both, to gain entry to the house;
- b) 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 reasons for rejection under these grounds are:

This tenancy commenced relatively recently (July 2022) and it is assumed the Property met the Repairing Standard at that time. The Landlord has failed to provide sufficient evidence that there is good reason to believe that the property may now fail

to meet the Repairing Standard, despite a request for further information from the Tribunal.

The reason for the application, as stated on the Form B, is given as “Tenant is over £14.5k arrears not allowing access and the Landlord wants access to check the condition of property”. This suggests that the wish for access relates more to a matter of tenancy management than to the purposes specified in the Act.

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

Gordon Laurie

Member

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

22 September 2023