



**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/23/0251

HOUSE AT **32 Drove Road, Langham, DG13 0JW**

TENANT **Miss Kal Malhi**

LANDLORD **Miss Michelle Garvey, High Trees Cottage, Martlesham
Road, Little Bealings, Woodbridge, Suffolk, IP13 6LX**

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) 25 January 2023 and 22 February 2023 and further information received on 22 February 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 ground:

- b) the dispute to which the application relates has been resolved or the landlord has been able to enter the house for the purpose specified in the application;

The reason for rejection under this ground is that on 22 January 2023 the Landlord sent a Landlord Notification of Repair letter to the Tenant seeking access to the Property on 15, 16 and 17 February 2023. In response to enquiries, the Landlord has confirmed that access to the Property was not obstructed on these dates.

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

G **Laurie**

Member

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