

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/22/1332

HOUSE AT 75 Castle, New Cumnock, KA18 4AG

TENANT Miss Nicola Dunlop

LANDLORD Ms An Aslam, Suite 5, 56 - 68 Stirling Street, Airdrie, ML6 0AS

**LANDLORD REPRESENTATIVE McGoogans, Suite 5, 56 - 68 Stirling Street,
Airdrie, ML6 0AS**

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) 5 May 2022 and 12 August 2022. 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 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;

- On 19th August 2022 David Grainge from the landlord’s representatives McGoogans emailed the Tribunal, copied to the tenant Nicola Dunlop and asked the tenant to contact him as a matter of urgency.
- By email of the 13th September 2022 the Tribunal asked Mr. Grainge to update the Tribunal.

- Also by email on 13th September 2022 Mr. Grainge confirmed that the tenant had come back to him to make arrangements.
- By email of 14th September 2022 the Tribunal confirmed that it intended to close the case.

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

E Dickson
Member
First-tier Tribunal for Scotland (Housing and Property Chamber)
28th September 2022