



**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/18/0736

HOUSE AT Flat 6, 6 Hazel Drive, Dundee, DD2 1QQ

TENANT Mr David Mamphey

LANDLORD Mrs Nancy Taylor, 98 Allison Crescent, Perth, PH1 2UN

**LANDLORD REPRESENTATIVE Direct Lettings (Scotland) Ltd, c/o 110
Commercial Street, Dundee, DD1 2AJ**

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) 28 March 2018 and 31 May 2018. 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 that the application is based mainly on the question of rent arrears existing in respect of this tenancy and the fact that the tenant may not be currently in residence but in hospital care and this is not seen as

appropriate nor sufficient grounds to assist with regard to access being sought.
There are other options available to the Landlord to help resolve these issues.

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

M Scott

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