

**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/22/1031**

**HOUSE AT Flat 22, 25 Gullans Close, 264 The Cannongate, Edinburgh, EH8 8JW**

**TENANT Miss Cristina Tessard, Mr Kerr Christison**

**LANDLORD Places for People Scotland, 1 Hays Avenue, Edinburgh, EH16 4RW**

**LANDLORD REPRESENTATIVE Touchstone Property Management, The Hays Business Centre, 4 Hay Avenue, Edinburgh, EH16 4RW**

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) 7 April 2022 and 10 June 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:

After consideration of the application the Tribunal wrote to the Landlord’s Representative on 16<sup>th</sup> June 2022 for further information, while a response was received by the Tribunal on 23<sup>rd</sup> June 2022 it was incomplete, the Tribunal wrote again on 24<sup>th</sup> June 2022. No response has been received to the Tribunal’s request of 24<sup>th</sup> June 2022, a follow up reminder dated 26<sup>th</sup> July was also sent to the Landlord’s

Representative. As such the Tribunal must assume that assistance is no longer required and access has been gained to the property.

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

E Dickson

E Dickson  
Member  
First-tier Tribunal for Scotland (Housing and Property Chamber)  
9th August 2022