

Housing and Property Chamber
First-tier Tribunal for Scotland



**Decision to Stop Assisting: Notification of decision under Section 28C(9) of
the Housing (Scotland) Act 2006 ("The Act")**

Ref FTS/HPC/RE/17/0352

HOUSE AT 23 Kirkgate, Currie, Edinburgh, EH14 6AP

TENANT Miss Jill Robert

**LANDLORD Mr John Steven, Mrs Carolyn Steven, 34 Kirkgate, Currie,
Edinburgh, EH14 6AH; 34 Kirkgate, Currie, Edinburgh, EH14 6AH**

I have reviewed the right of entry application on received on 12 September 2017 and all information subsequently received and have made a decision to stop assisting the landlord, as I am entitled to do at any time under Section 28C(9) of the Act. This decision has been made for the following reason(s):

You originally asked for yourselves, as joint landlords, to be allowed into the property to carry out an inspection to assess the repairs needed.

This was what was mentioned in the Notification correspondence to the tenant that was supplied with the application.

In a written statement to HPC I gather you have now gained access to the property as part of an inspection being carried out by HPC Tribunal members.

As you have achieved what you asked for in the 5 September 2017 Notification to the Tenant, of entry to inspect the property, I would now consider this application closed.

However if you wish to access the property with tradesmen to be able to carry out repairs then it would need a new application. This application would need to state clearly the purpose - which is to carry out repairs- and the names and addresses of the tradesmen and anyone else you wish to accompany you, together with a notification to the Tenant concerning the repairs, and evidence of this notification being delivered to the Tenant. As it would be a fresh application, it would also require a copy of the Tenancy Agreement.

I realise that this is cumbersome but we cannot continue an application as it is a "one-off". Each right of entry application is an individual case.

Right of Entry cases are totally separate from Tribunal hearings and Members dealing with Right of Entry cases do not get information from Tribunal hearings.

I hope this clarifies the situation.

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

L Robertson

Linda Robertson

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