



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

Ref: FTS/HPC/RE/21/1684

HOUSE AT: 43 Mason Avenue,
New Cumnock, KA18 4AY

TENANT: Ms Shibhon McAuliffe

LANDLORD: Red Stag Property Group Ltd.,
Suite 5, 56 - 68 Stirling Street,
Airdrie, ML6 0AS

LANDLORD’S REPRESENTATIVE: McGoogans (Coatbridge) Ltd.,
Suite 5, 56 - 68 Stirling Street,
Airdrie, ML6 0AS

PERSONS THE LANDLORD INTENDED TO AUTHORISE TO ENTER THE HOUSE: (1) Michael McAuley - Electrician
(2) A representative of iSafe Gas

I have reviewed the application, dated 14 July 2021, and all information subsequently received.

I 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.

The decision has been made for the following reasons:

Intimation in terms of section 28C(6) of the Act was made by letter of 11 March 2022 to the tenant that the tribunal had fixed a time and date for the landlord to exercise the landlord’s right of entry to the premises on 22 March 2022 at 11:30 am.

The time and date was intimated to the landlord’s representative by email of 11 March 2022. Telephone conversations took place on 21 March 2022 between a member of the tribunal’s support staff and Mr David Grainge of the landlord’s representative and Mr Michael McAuley, electrician. Both were aware of the arrangements that had been made for 22 March 2022.

A tribunal member, accompanied by a venue assistant, attended at 43 Mason Avenue, New Cumnock on 22 March 2022. The member spoke with the tenant at 11:30am. The tenant was in the property and confirmed that she was available and willing to allow access.

The member and venue assistant were at the property from 11:10am until after 12:00pm but neither the landlord nor any representative of the landlord nor an authorised person attended at the property.

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

Colin M. Campbell
Member - First-tier Tribunal for Scotland (Housing and Property Chamber)

28 March 2022