

**Housing and Property Chamber**  
First-tier Tribunal for Scotland



**Confirmation of refusal/ lack of access following a Decision to Assist the Landlord under Section 28A(3) of the Housing (Scotland) Act 2006 ("The Act")**

**Ref FTS/HPC/RE/18/3411**

**HOUSE AT 5 Izatt Terrace, Clackmannan, FK10 4HA**

**TENANT Ms Kyrna Neil**

**LANDLORD Mr Robert Turner, 40 Gaberston Avenue, Alloa, FK10 3SR**

As the Member deciding on the above application for entry by the landlord, I confirm that attempts have been made to assist the landlord in exercising their right of entry to the house under section 181(4) of the Act.

The attempts involved the following:

notification of the application made under section 28 A(1) on the tenant dated 04/12/2018;

intimation on tenant and landlord of decision to assist the landlord dated 23/01/2019;

consideration of representations from tenant on the application received on 26/01/2019;

consideration of further information in the form of an email from the tenant dated 20/01/2019;

conference call held on 13/03/2019, in which the landlord participated but the tenant did not;

setting of a date and time by the panel member for the landlord to exercise the said right, that date and time being 30/05/2019;

notification by the Chamber of that date and time to the tenant and landlord on 09/05/2019;

receipt by the tenant of this notification is evidenced by a Certificate of Execution of Service by Andrew Fraser, Sheriff Officer, dated 14/05/2019;

I confirm that I observed the lack of access on 30/05/2019. I visited the property with the landlord at the agreed time of 3 pm. I knocked loudly on the door several times, but there was no response. We waited for ten minutes, and I knocked several more times, but there was still no response.

David Hughes Hallett

31/05/2019

Member

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