

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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**Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber)**

**in**

**Application under section 17 of the Property Factors (Scotland) Act 2011**

**by**

**Sandra Dickson, Chilton, Gracefield Court, Musselburgh EH21 6LL (“the Applicant”)**

**Charles White Ltd, Citypoint, Haymarket Terrace, Edinburgh EH12 5HD (“the Respondent”)**

**Re: Property at Chilton, Gracefield Court, Musselburgh EH21 6LL (“the Property”)**

**Chamber Ref: FTS/HPC/LM/23/0252**

### **Tribunal Members:**

John McHugh (Chairman) and Elaine Munroe (Ordinary (Housing) Member).

### **Decision**

**The Tribunal hereby determines that the Property Factor Enforcement Order has been complied with.**

The decision is unanimous.

### **Reasons for Decision**

The Tribunal issued the following Property Factor Enforcement Order (“PFEO”) on 3 October 2023:

*“Within 35 days of the date of the communication to the Respondent of this property factor enforcement order, the Respondent must:*

- 1 Pay to the Applicant the sum of £75, such payment to be by way of a cheque made payable to the Applicant or bank transfer as opposed to a credit to her factoring account.*
- 2 Confirm in writing to the office of the Tribunal that step 1 above has been carried out.”*

In terms of section 23(1) of the 2011 Act, the Tribunal is to determine whether the Respondent has complied with the PFEO.

The Tribunal gave consideration to the extent to which the PFEO had been complied with.

Parties have submitted written responses to the Tribunal in which they agree that paragraph 1 has been complied with. The Tribunal has received written confirmation (on 5 October 2023) in compliance with paragraph 2.

The Tribunal hereby finds that the PFEO has been complied with.

## **Appeals**

In terms of section 46 of the Tribunals (Scotland) Act 2014, a party aggrieved by the decision of the tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

**Sig**

**JOHN M MCHUGH**

**Chairperson**

**Date 5 January 2024**

