

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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**Certificate of Compliance following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 17(1) of the Property Factors (Scotland) Act 2011.**

**Chamber Reference: FTS/HPC/PF/22/3879**

**Re: Property at 18 The Meadows, Dalbeattie, DG5 4AS (“the Property”)**

**Parties:**

**Mr Tom Barry, 12 Hameau de la Ville, 50760 Anneville en Saire, France (“the Applicant”)**

**Lowther Homes Limited, Wheatley House, 25 Cochrane Street, Glasgow, GL1 1HL (“the Respondent”)**

**Tribunal Members:**

**Martin McAllister, solicitor, (Legal Member) and Mary Leyden, (Ordinary Member) (“the tribunal”)**

**Certificate of Compliance with Property Factor Enforcement Order dated 15 September 2023**

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

Terms of the Property Factor Enforcement Order (PFEO):

- 1. The Tribunal requires the Property Factor to pay the sum of Three Hundred pounds (£300) to the Homeowner within thirty days of the service on it of the final PFEO in terms of Section 19 (3) of the 2011 Act.**
- 2. The Property Factor undertakes that it will communicate with the Homeowner by using his preferred email address in relation to all matters concerning the Property to include, without prejudice to the foregoing, all financial statements, correspondence with regard to repair issues and general correspondence sent to all homeowners. The undertaking must be provided to the Tribunal within thirty days of the service on it of the final PFEO in terms of Section 19 (3) of the 2011 Act.**

## Reasons

The reasons are detailed in the Decision of even date with these presents.

## Appeals

**A homeowner or property factor 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.**



Martin J. McAllister  
Legal Member

12 November 2023

