

Housing and Property Chamber

First-tier Tribunal for Scotland



Certificate of Compliance with Property Factor Enforcement Order in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Chamber Ref: FTS/HPC/PF/23/3192 and FTS/HPC/PF/23/3193

Property: 11 Mannering Road, Glasgow G41 3TB (“the Property”)

The Parties:-

Mr Dan Whitehead, 11 Mannering Road, Glasgow G41 3TB (“the homeowner”)

Hacking & Paterson Management Services Limited, registered in Scotland (SCO73599) and having their Registered Office at 1 Newton Terrace, Charing Cross, Glasgow G3 7PL (“the property factors”)

Tribunal Members:

George Clark (Legal Member/Chairman) and Donald Wooley (Ordinary Member)

Decision of the Tribunal

The Tribunal determined that the property factors have complied with the terms of the Property Factor Enforcement Order made on 28 May 2024.

Reasons for Decision

Following a Decision, made on 25 April 2024, which was not appealed by either Party, the Tribunal made a Property Factor Enforcement Order (“PFEO”) requiring the property factors to pay to the homeowner the sum £250 by way of compensation for the property factors’ failure to carry out the Property Factor’s duties.

The PFEO was made on 28 May 2024 and sent to the Parties.

On 1 July 2024, the homeowner advised the Tribunal that he had received a cheque for £250 and that the property factors had complied with the PFEO.

The Tribunal decided, therefore, that the property factors have complied with the PFEO.

The Tribunal’s Decision was unanimous.

Right of Appeal

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.



Signed

Dated: 11 July 2024

Chairperson