

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.

Property: 98/12 Orchard Brae Avenue, Edinburgh EH4 2GB (“the Property”)

The Parties:-

Mr Doug Maughan, 52 Menteith View, Dunblane FK15 0PD (“the homeowner”)

Myreside Management Limited, registered in Scotland (SC213664) and having their Registered Office at 3 Dalkeith Road Mews, Edinburgh EH16 5GA (“the property factors”)

Tribunal Members:

George Clark (Legal Member/Chairman) and Sandra Brydon (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 8 July 2024.

Reasons for Decision

Following a Decision, made on 30 May 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 of £150 by way of compensation for the property factors’ failure to comply OSP11 of the Property Factors Code of Conduct effective from 16 August 2021 and failure to comply with the Property Factor’s Duties.

The PFEO was made on 8 July 2024 and sent to the Parties.

On 8 July 2024, the homeowner advised the Tribunal that he had received payment of £150 on 12 June 2024. This was also confirmed by the property factors on 9 July 2024.

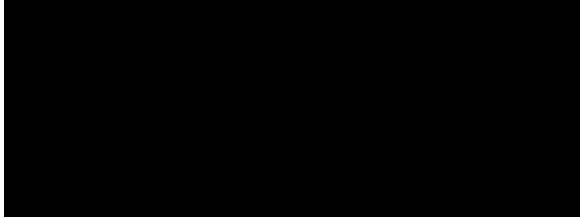
The Tribunal decided, therefore, that the property factors have complied with the PFEO.

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: 13 August 2024

Chairperson