



**Property Factor Enforcement Order (“PFEO”): Property Factors (Scotland) Act 2011 Section 19(3)**

Chamber Ref: FTS/HPC/PF/24/1556

**Parties**

**Mr Mohit Gajri (Applicant)**

**Newton Property Management Limited (Respondent)**

**Flat 3A Couper Street, Glasgow, G4 0DP (“the Property”)**

**Tribunal Members:**

**Alan Strain (Legal Member) and Robert Buchan (Ordinary Member)**

**This document should be read in conjunction with the First-tier Tribunal’s Decision of 3 November 2024.**

Having determined by Decision dated 3 November 2024 that the Property Factor had failed to comply with the Section 14 duty and its property factor’s duties in terms of the Act, and having determined to issue a Property Factor Enforcement Order (“PFEO”), the Tribunal gives Notice in accordance with Section 19(2)(a) of the Act that the Tribunal proposes the following PFEO and invites the Parties to make representations no later than 5 December 2024.

**Proposed PFEO:**

No later than 4 weeks from 30 November 2024 the Property Factor must:

1. Refund the Applicant the increase in the management fees from 1 March 2024 to 30 November 2024;
2. Update their WSS to reflect that any increase in fees will be communicated at least 28 days in advance of any increase taking effect and provide full details of the proposed increase and how it has been calculated.

**Right of Appeal**

**In terms of Section 46 of the Tribunal (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**

Housing and Property Chamber  
First-tier Tribunal for Scotland

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seek permission to appeal within 30 days of the date the decision was sent to them.

Alan Strain

3 November 2024

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**Legal Member**

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**Date**