



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/23/1269 and FTS/HPC/PF/24/1270

Property: 32 Colonsay Gardens, St Leonards, East Kilbride G74 2HF (“the Property”)

The Parties:-

Mrs Jacqueline Younger, 32 Colonsay Gardens, St Leonards, East Kilbride G74 2HF (“the homeowner”)

South Lanarkshire Council, Almada Street, Hamilton ML3 0AA (“the property factors”)

Tribunal Members: George Clark (Legal Member/Chairman) and Nick Allan (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 6 January 2025.

Reasons for Decision

Following a Decision, made following a Hearing on 30 October 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 £1,250 by way of compensation for the property factors’ failure to comply with Section 7.2 of the Property Factors Code of Conduct effective from 16 August 2021 and with Section 6.1 of the Property Factors Code of Conduct effective from 1 October 2012.

The PFEO was made on 6 January 2025 and sent to the Parties.

On 20 January 2025, the Applicant’s representative confirmed that the homeowner had received a cheque for £1,250 and provided the Tribunal with a copy of the cheque.

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.

George Clark

Signed

Dated: 10 March 2025

Chairperson