

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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**First-tier Tribunal for Scotland (Housing and Property Chamber)**

**Proposed Property Factor Enforcement Order following a Decision under Section 17 of the Act.**

**Reference numbers:** FTS/HPC/PF/23/2940 and 3627 (“the Applications”)

**Property:** 11, Lambhill Steadings, Strathaven, ML10 6XF (“the Property”)

**The Parties:**

Mrs. Nicol Shadbolt residing at the Property (“the Homeowner”)

James Gibb Residential Factors, 65, Greendyke Street, Glasgow G1 5PX (“the Property Factor”)

**Tribunal Members**

Karen Moore (Chairperson) Nick Allan (Surveyor and Ordinary Member)

**Background**

Having determined by Decision dated 14 February 2025 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 proposed the following PFEO and invites the Parties to make representations no later than 31 March 2025:-

Proposed PFEO:

No later than [3 weeks from date of PFEO] the Property Factor must at its own cost and expense:

Compensate the Homeowner in the sum of £2,500.00 by a direct payment and not by a credit to her common charges account for the additional costs, inconvenience, stress and frustration caused to her by the Property Factor's actions;

Evidence to the Tribunal that the payment has been made.

### **Appeal**

In terms of section 46 of the Tribunals (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 seek permission to appeal within 30 days of the date the decision was sent to them.

Karen Moore,

Chairperson

14 February 2025

