

Housing and Property Chamber

First-tier Tribunal for Scotland



Property Factor Enforcement Order under section 19 of the Property Factors (Scotland) Act 2011

Chamber Ref: FTS/HPC/PF/24/1687 & FTS/HPC/PF/24/1689

Re: Property at Lauderdale Mansions, Lauderdale Gardens, Glasgow, G12 9QT (“the Property”)

Parties:

Mrs Pauline Bourhill, 44 Lauderdale Gardens, Apt 3/2, Hyndland, Glasgow, G12 9QT (“the Homeowner”)

James Gibb, Red Tree Magenta, 270 Glasgow Road, Glasgow, G73 1UZ (“the Property Factor”)

Tribunal Members:

**Fiona Watson (Legal Member)
Mary Lyden (Ordinary Member)**

The Tribunal hereby makes the following Property Factor Enforcement Order(“PFEO”):

The Property Factor must

- (i) make reasonable payment to the Homeowner to compensate them for inconvenience, frustration and time spent. There being no direct evidence of financial loss, the Tribunal considers that a sum of £250.00 is reasonable in all the circumstances and which must be paid within 14 days hereof;
- (ii) to produce an itemised account to the Homeowner of all electricity charges she has paid since the Property Factor was appointed over the development to date, and which account must include (i) sums paid (ii) date each sum was paid (ii) reference to which utility invoice each sum relates and (iv) attached to said account a copy

of each utility company invoice relating to each sum paid, and which must be produced within 28 days hereof.

- (iii) Provide a written monthly update to the Homeowner on the steps taken by the Property Factor in the preceding month to resolve matters with the utility company, until conclusion of the outstanding utility account issues.
- (iv) provide the Homeowner with a copy of the contractual arrangement between the Property Factor and their broker, Indigo Swan, insofar as it relates to services provided relating to the building within which the Property forms part, and which must be provided within 14 days hereof.

And the Property Factor must do so within 14 days of the date of the Order and provide evidence to the Tribunal that it has done so.

Fiona Watson
Legal Member/Chairperson

22 April 2025