

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

**Certificate of Compliance following upon a decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 17(1) of the Property Factors (Scotland) Act 2011**

**Chamber Ref: FTS/HPC/PF/23/2752**

**Re: 17 Charleston Road North, Cove, Aberdeen AB12 3SZ**

**Parties:**

**Ms Catriona Reid, 26 Conglass Field Gardens, Inverurie AB51 4AB (“the Applicant”)**

**James Gibb Residential Factors, 27 Chapel Street, Aberdeen AB10 1SQ (“the Respondents”)**

**Tribunal Member:**

**Graham Harding (Legal Member)  
Elizabeth Williams (Ordinary Member)**

### **Decision**

The Tribunal has determined that the Factor has complied in full with the terms of the Property Factor Enforcement Order (“PFEО”) issued on 14 November 2018 therefore no further action is required.

The decision is unanimous.

### **Statement of Reasons**

1. By decision issued on 27 January 2025, the Tribunal determined that the Factor had failed to carry out its property factor’s duties.
2. The Tribunal issued a Notice of Proposed PFEО together with the decision on 27 January 2025 and invited representations within 14 days of the Notice being received by the parties.

3. No representations were received from either party following the proposed PFEO being issued and the Tribunal issued a PFEO in the same terms as the proposed PFEO on 24 February 2025.
4. By email received on 5 March 2025 the Respondents requested the Tribunal review the PFEO.
5. The Tribunal considered the Respondent's request for a review and by its decision dated 24 March 2025 unanimously refused the request and at the same time at its own instance reviewed the PFEO and issued a further PFEO in amended terms.
6. By email received on 27 March the Applicant's representative advised the Tribunal that the terms of the proposed PFEO had been complied with and payment had been received.
7. The Tribunal having considered matters and being satisfied that the PFEO has been complied with by the Factor has determined that no further action is required.

### **Right of Appeal**

8. 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 within 30 days of the date the decision was sent to them.

Graham Harding  
Legal Member and Chairperson

7 April 2025