

Housing and Property Chamber

First-tier Tribunal for Scotland



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/24/1023

Re: 21, Flat 8, Muirhouse Parkway, Edinburgh EH4 5JG

Parties:

Mr Stewart Elliot, 34/3 Cammo Tower View, Edinburgh EH4 8GL (the Applicant”)

Ross & Liddell, 60 St Enoch Square, Glasgow G1 4AW (“the Respondents”)

Tribunal Member:

**Graham Harding (Legal Member)
Angus Anderson (Ordinary Member)**

Decision

The Tribunal has determined that the Factor has complied in full with the terms of the proposed Property Factor Enforcement Order (“PFE0”) issued on 3 March 2025 therefore no further action is required.

The decision is unanimous.

Statement of Reasons

1. By decision dated 25 February 2025 and issued on 3 March 2025, the Tribunal determined that the Respondents had failed to carry out their property factor’s duties and had failed to comply with their duties under section 14(5) of the 2011 Act in that it did not comply with Sections 2.7 and 6.4 of the 2021 Code.

2. The Tribunal issued a Notice of Proposed PFEO together with the decision on 3 March 2025 and invited representations within 14 days of the Notice being received by the parties.
3. By email received 3 March 2025 the Respondents' representatives advised the Tribunal that they had been instructed to issue a cheque to the Applicant in compliance with the terms of the proposed PFEO.
4. By email dated 25 March 2025 the Applicant advised the Tribunal he had received payment from the Respondents representatives.
5. The Tribunal having considered matters and being satisfied that the proposed PFEO has been complied with by the Factor has determined that no further action is required.

Right of Appeal

6. 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