

# Housing and Property Chamber

## First-tier Tribunal for Scotland

---



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) issued under section 31 of the First-tier Tribunal for Scotland Housing and Property Chamber Procedure Regulations 2017.

### **CERTIFICATE OF COMPLIANCE with the PROPERTY FACTOR ENFORCEMENT ORDER DATED 25<sup>th</sup> March 2025 ('The PFEO')**

Chamber Ref:FTS/HPC/PF/23/2929 and FTS/HPC/PF/23/3040

0/2, 3A Sherbrooke Drive, Pollokshields, Glasgow, G41 5AA and 0/1, 5 Sherbrooke Drive, Pollokshields, Glasgow, G41 5AA ('the Properties')

Mrs Michelle George residing at 17 Kirkview Crescent, Newton Mearns, Glasgow, G77 5DB ('the Homeowner and Applicant')

James Gibb Residential Factors ('the Factor and Respondent')

Tribunal members:

Jacqui Taylor (Chairperson) and Nick Allan (Ordinary Member).

### **Decision of the Tribunal**

The Tribunal having determined that the PFEO dated 25<sup>th</sup> March 2025 ('PFEO') relating to the Property has been complied with, certifies that the Factor has complied with the PFEO.

### **Reasons for the Decision**

1. The Tribunal issued the **PFEO** in the following terms:

*"The Factor must pay the homeowner two times £250 (a total of £500) for the stress and inconvenience she had suffered and for their contribution to causing the IKO guarantee to be invalidated, from their own funds and at no cost to the owners. The said sums to be paid within 28 days of the communication to the Factor of the Property Factor Enforcement Order".*

2. The Factor sent the Tribunal an email dated 14<sup>th</sup> May 2025 confirming that payment was made to the Homeowner.

3. The Homeowner sent the Tribunal an email dated 16<sup>th</sup> May 2025 which confirmed that the PFEO had been complied with.

4. The Tribunal were satisfied that the Factor has complied with the PFEO. The Tribunal therefore issues this Certificate of Compliance. No further action is required by the Factor in terms of the PFEO.

### **Right of 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.**

Signed.....Date 27<sup>th</sup> May 2025

Chairperson