

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Decision in relation to Property Factors Enforcement Order (PFEO) under Section 19 of the Property Factors (Scotland) Act 2011 (Act)

Chamber Ref: FTS/HPC/PF/24/1611

Re: Property at 41 Winning Quadrant, Wishaw, M12 7TT ("the Property")

Parties:

Ms Diana Cooper, 24 Tradescant Drive, Meopham, Kent, DA123 0EE (Applicant)

James Gibb Residential Factors, Red Tree Magenta, 3rd Floor, 270 Glasgow Road, Glasgow, G73 1 UZ (Respondent)

Tribunal Member:

Melanie Barbour (Legal Member)
Sara Hesp (Ordinary Member)

Decision

The First-Tier Tribunal for Scotland (Housing and Property Chamber) (Tribunal) having determined that the Property Factor has complied with the terms of the proposed Property Factors Enforcement Order (PFEO) dated 21 May 2025, hereby determined that it did not require to make a PFEO.

Reasons for the Decision

1. In the Tribunal's decision of 21 May 2025, The First-tier Tribunal advised that it proposed to make the following Property Factor Enforcement Order ("PFEO") : *Within a period of one month from the date of the PFEO the Factor must: From their own funds pay the homeowner the sum of £1250 as compensation.*

2. By email of 9 June 2025, the Property Factor wrote in the following terms *“Good afternoon, I am writing on relation to the above case and to advise that we have made payment of the compensation amount of £1250.00 directly to the client. Should you require any further information please do not hesitate to contact me. Kind regards*
3. There has been no response from the Homeowner about the proposed terms of the PFEO or the payment of compensation from the Property Factor.
4. As it appears that the Property Factor has complied with the terms of the proposed PFEO before it was made; and as there was no response from the Homeowner to the proposed terms of the PFEO; we consider therefore that there is no reason to proceed to make a PFEO, as the proposed remedy has already been satisfied.

Melanie Barbour

Legal Member and Chair

2 July 2025

Date