



**Statement of Decision with Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) in respect of Sections 17 and 19 of the
Property Factors (Scotland) Act 2011 (“the Act”)**

Reference numbers: FTS/HPC/PF/23/2940 and 3627 (“the Applications”)

Property: 11, Lambhill Steadings, Strathaven, ML10 6XF (“the Property”)

The Parties:

Mrs. Nicol Shadbolt residing at the Property (“the Homeowner”)

James Gibb Residential Factors, 65, Greendyke Street, Glasgow G1 5PX (“the
Property Factor”)

Tribunal Members

Karen Moore (Chairperson) Nick Allan (Surveyor and Ordinary Member)

Decision

The Tribunal determined not to make a Property Factor Enforcement Order.

Background

1. Having determined by Decision dated 14 February 2025 that the Property Factor had failed to comply with the Section 14 duty and its Property Factor’s Duties in terms of the Act, and having determined to issue a Property Factor Enforcement Order (“PFEO”), the Tribunal gave Notice in accordance with Section 19(2)(a) of the Act that the Tribunal proposed a PFEO awarding the Homeowner the sum of £2,500.00 in compensation and invited the Parties to make representations.
2. Representations were made by both Parties to the effect that the Property Factor had complied with the terms of the Proposed PFEO.
3. Accordingly, there is no need for the Tribunal to make a formal PFEO.

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

Karen Moore

Karen Moore, Chairperson

13 June 2025