

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Property Factor Enforcement Order following a Decision under Section 17 of the Property Factors (Scotland) Act 2011 (“the PF Act”)

Reference number: FTS/HPC/PF/24/3638 (“the Application”)

Re: Flat 4/2, 25, St Andrews Square, Glasgow, G1 5PQ (“the Property”)

The Parties:

Mr. Michael Sweeney, residing at the Property (“the Homeowner”)

Hacking and Paterson Property Management Services having a place of business at 1, Newton Terrace, Glasgow G3 7PL (“the Property Factor”)

Tribunal Members

Karen Moore (Chairperson) and Peter McEachran (Surveyor and Ordinary Member)

Background

1. Having determined by Decision dated 25 November 2025 that the Property Factor had failed to comply with the Section 14 duty in terms of the Act, the Tribunal gave Notice in accordance with Section 19(2)(a) to the Parties of the PF Act of a Proposed Property Factor Enforcement Order and invited the Parties to make representations later than 31 December 2025.

2. No representations were made by either Party and so the Tribunal now makes the following Property Factor Enforcement Order in terms of Section 20 of the PF Act:-

No later than 13 February 2026, the Property Factor must at its own cost and expense, refund to the Homeowner his share of the cost of the repair to the water ingress at 20, St Andrews Square, Glasgow, G1 5PQ cost which repair is the subject of the Application:-

No later than 13 February 2026, the Property Factor must at its own cost and expense, compensate the Homeowner in the sum of £2,000.00 by a direct payment and not by a credit to his common charges account for the inconvenience, stress and frustration caused to him by the Property Factor's actions and

Evidence to the Tribunal that payment has been made.

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.

Karen Moore,

Chairperson

16 January 2026

