

Housing and Property Chamber

First-tier Tribunal for Scotland



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

**Proposed Property Factor Enforcement Order following a Decision under
Section 17 of the 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 and having determined to issue a Property Factor Enforcement Order (“PFEO”), the Tribunal gives Notice in accordance with Section 19(2)(a) of the Act that the Tribunal proposed the following PFEO and invites the Parties to make representations no later than 31 December 2025.

1. No later than [4 weeks from the date of the PFEO] 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;
2. No later than [4 weeks from the date of the PFEO], 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
3. 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

25 November 2025

