

Housing and Property Chamber First-tier Tribunal for Scotland



Certificate of Compliance following upon a decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under section 17(1) of the Property Factors (Scotland) Act 2011

Chamber Ref: FTS/HPC/PF/24/0305 & FTS/HPC/LM/23/3165

Property address: 114 Muirdykes Avenue, Port Glasgow, PA14 5TS (“the Property”)

The Parties

Mr Alan Guthrie, 114 Muirdykes Avenue, Port Glasgow, PA14 5TS (“the Homeowner”)

Curb Factoring, Watling House, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR (“the Property Factor”)

Tribunal Members

Ms H Forbes (Legal Member) and Mrs M Lyden (Ordinary Member)

Decision of the Tribunal

The Tribunal, having determined that the Property Factor Enforcement Order (“PFEO”) relating to the Property dated 28th November 2025 has been complied with, hereby certifies that the Property Factor has complied with the PFEO.

Reasons for Decision

1. By decision dated 14th October 2025, the Tribunal determined that the Property Factor had failed to comply with section 1 of the 2012 Property Factor Code of Conduct (“the 2012 Code”).
2. The Tribunal issued a proposed PFEO dated and issued on 14th October 2025 in the following terms, giving parties an opportunity to make representations:

“The Property Factor is required, within 30 days of the making of this Property Factor Enforcement Order, to make payment of the sum of £350 from their own funds to compensate the Homeowner for the distress, frustration and inconvenience caused as a result of the Property

Factor's failure to comply with section 1 of the 2012 Property Factor Code of Conduct ("the 2012 Code")

3. Neither party made any representations on the proposed PFEO.
4. By email dated 29th October 2025, the Property Factor stated that payment had been made to the Homeowner on the proposed PFEO and that no order was required.
5. By unanimous decision, the Tribunal decided to issue a PFEO dated 28th October 2025 in the same terms as the proposed PFEO.
6. The Homeowner failed to confirm compliance with the PFEO.
7. By email dated 4th February 2026, the Property Factor provided evidence of payment of the sum of £350 to the Homeowner on 22nd October 2025.
8. The Tribunal is satisfied that the PFEO has been complied with by the Property Factor. The decision is unanimous.

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.

Legal Member

10th February 2026