

Housing and Property Chamber First-tier Tribunal for Scotland



**Property Factor Enforcement Order (“PFEO”): Property Factors
(Scotland) Act 2011 Section 19(2)**

Reference number: FTS/HPC/PF/24/5614

Re: 16 Market Street, Forfar, Angus DD8 3EY (“the Property”)

The Parties:

Ms Rowena Frankl, 20 Morrison Street, Kirriemuir, Angus DD8 5DB (“the Applicant”)

James Gibb Property Management Ltd, Red Tree Magenta, 270 Glasgow Road, Glasgow G73 1UZ (“the Respondent”)

Tribunal Members:

Alice Stobart, Advocate, (Legal Member)

**Robert Buchan, Surveyor (Ordinary Member)
(the “tribunal”)**

1. The Tribunal issued a Proposed Property Factor Enforcement Order on 12 November 2025 in respect of a failure by the Respondent to comply with the 2021 Code of Conduct for Property Factors.
2. On 2 December 2025 the Factor confirmed to the Tribunal that the sum of £1000 had been paid to the Homeowner. On 9 December 2025, the Homeowner confirmed to the Tribunal that the sum of £1000 had been paid to her by the Property Factor.
3. The Tribunal acknowledge that in terms of section 19(3) of the Property Factors Scotland Act 2011 that if the Tribunal is satisfied that the Property Factor has failed to comply with the Code of Conduct for Property Factors they must make a Property Factor Enforcement Order (PFEO). The Tribunal therefore the makes the following PFEO:
 - (1) The Factor shall pay the Applicant the sum of £1000.00 for the worry, distress and inconvenience suffered by her as a result of the Factor’s breaches of the 2021 Code.

- (2) The Factor must provide the Tribunal with written confirmation that parts (1) of this Order has been completed within 21 days of the date of this Order.
4. The Tribunal acknowledge that the Factor has paid the Homeowner £1000 and has therefore complied with the PFEO. A Certificate of Compliance will be issued with this decision.

Failure to comply with a PFEO has serious consequences and may constitute an offence.

Alice Stobart, Legal Member, 26 January 2026