

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') issued under section 26 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017.

Chamber Ref: FTS/HPC/PF/25/2070

57 Fonthill Avenue, Aberdeen, AB11 6TF ('the Property')

The Parties:

Mr Simon Gilbert residing at 57 Fonthill Avenue, Aberdeen, AB11 6TF ('the Applicant')

Newton Property Management Limited, 19 Albert Street, Aberdeen, AB25 1XX ('the Factor')

Tribunal members:

S. Gibb (Chairperson) and F Wood (Ordinary Member).

1. BACKGROUND

The Applicant is the Home owner and the Factor is the appointed factor for the Property and the development of which the Property is part. The alleged breaches of the Property Factor's Code 2021 stemmed from an attempt to have the Factors removed from office and an alleged failure to follow proper debt recovery processes.

2. THE CMD

A telephone hearing was held on 25th January 2026 . The Applicant did not attend and no message was received from him.

3. THE DECISION

The Tribunal members, having considered the overriding objective under Rules 2 and 3 of the Housing and Property Chamber Rules of Procedure

2017 in determining how to proceed, applied Rule 27 2b of the Procedure Rules and dismissed the Application.

This decision takes effect from 15th January 2026

Review

The Appellant may seek a review of this decision within 14 days from today's date in terms of Rule 39 of the Housing and Property Chamber Rules of Procedure 2017. The process for doing so is detailed in Rule 39 (2).

Appeals

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.

S Gibb

.....
Chairperson

15th January 2026