

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

**Decision by the Tribunal**

**In an Application under section 17 of the Property Factors (Scotland) Act 2011**

**Chamber Ref: FTS/HPC/PF/24/5106**

**Iain Hampson, 5 Edgar Street, Dunfermline, Fife KY12 7EY (“the Applicant”)**

**Newton Property Management, 87 Port Dundas Road, Glasgow G4 0HF (“the Respondent”)**

**Re: Property at Edgar Street, Dunfermline, Fife KY12 7EY (“the Property”)**

**Tribunal Members:**

John McHugh (Chairman) and Kingsley Bruce (Ordinary (Surveyor) Member).

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) makes the following Property Factor Enforcement Order (“PFEO”):**

**Within 31 days of the date of the communication to the Respondent of this property factor enforcement order, the Respondent must:**

- 1 Credit to the Applicant’s factoring account all charges for late payment or debt recovery which have been imposed since June 2023.**
- 2 Pay to the Applicant (by cheque or bank transfer as opposed to crediting of his factoring account) the sum of £1000.**
- 3 Confirm in writing to the office of the Tribunal that steps 1 and 2 above have been carried out.**

**Reasons for Decision**

The Tribunal issued its Decision on 21 November 2025 that the Respondent had failed in its property factor's duties ("the Decision"). A proposed Property Factor Enforcement Order accompanied the Decision.

The Applicant's application for Permission to Appeal and the Respondent's application for review having been disposed of, the Tribunal considers that making a PFEO in the same terms as the Proposed PFEO is appropriate. The Tribunal therefore now makes a PFEO in those terms.

**Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.**

**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.

**Signed .....**

**Date 10 April 2026**

**JOHN M MCHUGH**

**Chairing Member**