



First Tier Tribunal for Scotland (Housing and Property Chamber)

Property Factor Enforcement Order Section 19(3) of the Property Factors (Scotland)) Act 2011

Chamber Ref: FTS /HPC/PF/23/1336

Re: Property at Flat 3/1, 8 Claremont Street, Glasgow G3 7HA (“the Property”)

Parties: Mr. Mark Glancy, 3/1 8 Claremont Street, Glasgow, G3 7HA (“the Applicant”)

Glasgow West Enterprises Ltd, 5 Royal Crescent, Glasgow, G3 7SL (“the Respondent”)

Tribunal Members: Valerie Bremner (Legal Member) and Nick Allan (Ordinary Member)

Decision

The Tribunal has decided that it should make a PFEO in the terms originally proposed by it.

Reasons for the Decision

1. In the Tribunal’s decision of 7th July 2025, it proposed to make a PFEO as follows-

“The Property Factor is required to refund to the Applicant any management charges paid by him and not refunded already for the period from June 2022 to January 2023. This sum is to be paid with 28 days of communication of the Property Factor Enforcement Order”.

2. The Tribunal indicated that prior to making a PFEO it would give the parties a period of fourteen days within which to make representations under section 19(2)(b) of the Act. The decision was issued to parties on 8th July 2025.

3. No representations were received regarding the nature of the order in terms of section 19(2)(b) of the Act.

4. The Tribunal has now confirmed its decision in terms of section 19(1)(a) of the Act. The Tribunal agrees that it would be appropriate to make a PFEO.

5. It is understood that between issuing the proposed PFEO and the issue of this order that the order has been complied with and that the Applicant has refunded the management fees referred to in the order.



Property Factor Enforcement Order

6.The First Tier Tribunal hereby makes the following PFEO:

The Property Factor is required to refund to the Applicant any management charges paid by him and not refunded already for the period from June 2022 to January 2023. This sum is to be paid with 28 days of communication of the Property Factor Enforcement Order (sum has already been paid)

6.Under section 24(1) of the Act a person who without reasonable excuse, fails to comply with the Property Factor Enforcement Order, commits an offence.

Right of Appeal :

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.

Valerie Bremner
Legal Member and Chairperson

20th May 2026