

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

**Property Factor Enforcement Order (“PFE0”): Property Factors (Scotland) Act 2011 Section 19(3)**

<b>Reference number:</b>	<b>FTS/HPC/PF/25/1236,</b>	<b>FTS/HPC/PF/25/1237</b>
<b>FTS/HPC/PF/25/1238,</b>	<b>FTS/HPC/PF/25/1239</b>	<b>FTS/HPC/PF/25/1240,</b>
<b>FTS/HPC/PF/25/1241</b>	<b>FTS/HPC/PF/25/1243,</b>	<b>FTS/HPC/PF/25/1244</b>
<b>FTS/HPC/PF/25/1245,</b>	<b>FTS/HPC/PF/25/1246</b>	<b>FTS/HPC/PF/25/1247,</b>
<b>FTS/HPC/PF/25/1248</b>		

**Re: Properties at Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ (“the Property”)**

**The Parties: Patricia Spence, 2C Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Stewart Rutherford, 3A Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**David Udris, 1B Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Lilian MacMillan, 2B Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Monica Murray, 3B Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Claire Bell, 3C Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Ronnie Erskine, 4C Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Joan Shaw, 1D Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Sheila McCosh, 2D Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Morag McKissock, 3D Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Lindsey Duncan, 2E Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ**

**Mary Anderson, 1E Calderhaugh Mill, Main Street, Lochwinnoch, PA12 4AJ  
 (“the Applicants”)**

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

**Tribunal Members: Alison Kelly (Legal Member) and Kingsley Bruce (Ordinary Member)**

This document should be read in conjunction with the First-tier Tribunal’s Decision of 12<sup>th</sup> May 2026.

### **Decision**

Having determined by Decision dated 12<sup>th</sup> May 2026 that the Property Factor had failed to comply with the Section 14 duty and its property factor’s duties in terms of the Act, and having determined to issue a Property Factor Enforcement Order

("PFEO"), the Tribunal gives Notice in accordance with Section 19(2)(a) of the Act that the Tribunal proposed the following PFEO and invites the Parties to make representations no later than 20<sup>th</sup> June 2026.


Proposed PFEO:

No later than 4 weeks from date of PFEO the Property Factor must:

1. Pay each Applicant the sum of £250 in total in respect of the breaches of the Code.

### **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.



Alison Kelly Chairperson

20<sup>th</sup> May 2026