

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under section 17(2) of the Property Factors (Scotland) Act 2011 (“the 2011 Act”)

Chamber Ref: FTS/HPC/PF/24/4189

Re: Property at 25 Kingsburgh Crescent, Flat 1, Edinburgh, EH5 1RU (“the Property”)

Parties:

**Mr Christopher Purnell at 25 Kingsburgh Crescent, Flat 1, Edinburgh, EH5 1RU
 (“the Applicant”)**

Residential Management Group Scotland LTD, RMG House, Essex Road, Hoddesdon, Hertfordshire, EN11 0DR (“the Respondent”)

Tribunal Members:

Yvonne McKenna (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

The Tribunal, having determined that the Property Factor Enforcement Order dated 13 April 2026 has been complied with, hereby certifies that the Respondent has complied with the PFEO.

Reasons for the Decision

1. In the Tribunal’s decision of 23 January 2026, it proposed to make a PFEO as follows-
 - (1) *The Respondent shall pay the Applicant the sum of £150 (one hundred and fifty pounds) for the stress, inconvenience and administrative burden suffered by him as a result of the Respondent’s breach of the Code.*
 - (2) *The Respondent will provide the Tribunal with updated versions of their written complaints procedure, and written statement of services. These documents will detail an identical formal complaints procedure.*

(3) The Respondent must provide the Tribunal with written confirmation that part (1) of this Order has been completed within 21 days of the date of this Order.

(4) The Respondent must provide the Tribunal with the documents referred to in paragraph (2) within 21 days of the date of this 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 3 March 2026.

3. No representations were received regarding the nature of the order in terms of section 19(2)(b) of the Act. The Applicant responded on the 3 March 2026, to state that he was happy with the terms of the PFEO as proposed. No representations were received by the Tribunal from the Respondent during this 14-day period.

4. The Tribunal confirmed its decision in terms of section 19(1)(a) of the Act and on 13 April 2026 made the following PFEO:

(1) The Respondent shall pay the Applicant the sum of £150 (one hundred and fifty pounds) for the stress, inconvenience and administrative burden suffered by him as a result of the Respondent's breach of the Code.

(2) The Respondent will provide the Tribunal with updated versions of their written complaints procedure, and written statement of services. These documents will detail an identical formal complaints procedure.

(3) The Respondent must provide the Tribunal with written confirmation that part (1) of this Order has been completed within 21 days of the date of this Order.

(4) The Respondent must provide the Tribunal with the documents referred to in paragraph (2) within 21 days of the date of this Order.

5. Following the issue of the PFEO dated 13 April 2026, the Applicant and Respondent were asked for representations on compliance with the PFEO.

6. On 17 April 2026, the Respondent provided a copy of their written complaints procedure and written statement of services, along with confirmation that the sum of £150 had been paid to the Applicant. The Respondent accordingly confirmed compliance with the PFEO.

7. On 11 May 2026, the Applicant confirmed the payment of £150 had been met.

8. The Tribunal is satisfied that the PFEO has now been complied with by the Respondent. The decision of the Tribunal is unanimous.

Right of 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.

Yvonne McKenna

24 July 2026

Legal Member and Chair

Date