

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Proposed Property Factor Enforcement Order following a Decision under Section 19 of the Act

Reference number: FTS/HPC/PF/25/1669

Re: Flat 8 303 Springburn Road, Glasgow, G21 1SE (“the Property”)

The Parties:

Mr Roman Harper, Flat 8, 303, Springburn Road, Glasgow, G21 1SE (“the Homeowner”)

Hacking and Paterson Management Services, 1, Newton Terrace, Charing Cross, Glasgow, G3 7PL (“the Property Factor”)

Background

Having determined by Decision dated 14 September 2026 that the Property Factor has failed to comply with the Section 14 duty 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 proposes the undernoted PFEO.

No later than [4 weeks from date of PFEO] the Property Factor must at their own cost and expense:

1. Write to the insurance broker appointed by their parent company on behalf of the Property Factor pointing out that the Property Factor is bound by the terms of Section 5.8 of the Code and requesting that the broker sets out in

writing within 14 days of the Property Factor's letter **why** multiple quotes for buildings insurance were not obtained for the 2025-2026 policy. Thereafter, the Property Factor is to provide a copy of the broker's reply to the Homeowner within 7 days of their receipt of the reply.

2. In the event that the broker fails or refuses to reply to the Property Factor's abovementioned request, the Property Factor is to notify the Tribunal without delay.
3. The Property Factor should provide the Homeowner with a written explanation as to why their or their parent company's contract with the broker does not now allow the Property Factor or their parent company, as appropriate, to instruct the broker to obtain multiple quotes.
4. Pay £250.00 direct to the Homeowner and not as a credit to his common charges account to compensate him for time, effort and frustration he has been caused in pursuing his complaint and evidence to the Tribunal that this sum has been paid.

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.

Karen Moore - Chairperson

14 September 2026