Housing and Property Chamber
First-tier Tribunal for Scotland

Notice of proposal to make a Property Factor Enforcement Order made under Section 19(2)(a) of the Property Factors (Scotland) Act 2011 ("the Act") following upon a Decision of the Housing and Property Chamber of the First-tier Tribunal for Scotland in an application under Section 17(1) of the Act

Chamber Ref: FTS/HPC/PF/24/4842

Property: 34 Lochburn Gate, Glasgow G20 0SN ("the Property")

The Parties:-

Ms Mai Sung, 34 Lochburn Gate, Glasgow G20 0SN ("the homeowner") and

Newton Property Management Limited, registered in Scotland (SC224378) and having their registered office at 87 Port Dundas Road, Glasgow G4 0HF ("the property factors")

Tribunal Members:
George Clark (Legal Member) and Jane Heppenstall (Ordinary Member)

This document should be read in conjunction with the Tribunal's Decision under Section 19(1)(a) of the Act of the same date.

The Tribunal proposes to make the following Property Factor Enforcement Order ("PFEO"):

Within one month of the communication to the property factors of the PFEO, the property factors shall pay to the homeowner the sum of £250 by way of compensation for the property factors' failure to comply with the property factor's duties.

Section 19 of the Act provides as follows:

"… (2) In any case where the tribunal proposes to make a property factor enforcement order, they must before doing so...

(a) give notice of the proposal to the property factor, and

(b) allow the parties an opportunity to make representations to them.

(3) If the tribunal are satisfied, after taking account of any representations make under subsection (2)(b), that the property factor has failed to carry out the property factor's duties or, as the case may be, to comply with the section 14 duty, the committee must make a property factor enforcement order…"

The intimation of the Tribunal's Decision and this notice of proposal to make a PFEO to the parties should be taken as notice for the purposes of section 19(2) (a) of the Act and parties are hereby given notice that they should ensure that any written representations which they wish to make under section 19(2) (b) of the Act reach the Tribunal's office by no later than 14 days after the date that the Decision and this notice is intimated to them. If no representations are received within that timescale, then the Tribunal is likely to proceed to make a property factor enforcement order ("PFEO") without seeking further representations from the parties.

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

George Clark

Chairperson Date: 27 August 2026