

Housing and Property Chamber

First-tier Tribunal for Scotland



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

**Certificate of Compliance in terms of Section 23(1) of the Property Factors
(Scotland) Act 2011**

Chamber Ref: FTS/HPC/PF/21/1272

Re : 30/5 Eyre Crescent, Edinburgh EH3 5EU ("Property")

The Parties:-

Aylmer Millen, 5 Hillpark Grove, Edinburgh EH4 7AP ("Homeowner")

James Gibb Limited, 4 Atholl Place, Edinburgh EH3 8HT ("Factor")

Tribunal Members:

**Joan Devine – Chairing and Legal Member
Colin Hepburn – Ordinary Member**

Decision

In terms of its Decision dated 23 August 2021, the Tribunal issued a Property Factor Enforcement Order ("PFEO") in the following terms:

The Factor will pay to the Homeowner within 21 days of the date of service of this order the sum of Two Hundred and Fifty Pounds (£250) from their own funds in order to compensate the Homeowner for the inconvenience caused as a result of the Factor's failure to comply with the Property Factors Code of Conduct.

Reasons for Decision

By email dated 14 October 2021, the Homeowner advised that the Factor had paid to him the sum of £250 as required by the PFEO.

Appeals

In terms of section, 46 of the Tribunals (Scotland) Act 2014 a homeowner or property factor 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.

Joan Devine Legal Member

Date: 16 June 2022