

Housing and Property Chamber

First-tier Tribunal for Scotland



Certificate of Compliance with Property Factor Enforcement Order dated 24 August 2022 in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Chamber Ref: FTS/HPC/PF/22/0281

Property: 30/2 Fettes Row, Edinburgh EH3 6RH (“the Property”)

The Parties:-

Mrs Christina Davies, 19 West Mains Road, Edinburgh EH9 3BG (“the homeowner”)

Charles White Limited, registered in Scotland SC212674 and having their registered office at Citypoint, 65 Haymarket Terrace, Edinburgh EH12 5HD (“the property factors”)

Tribunal Members:

George Clark (Legal Member/Chairman) and Mary Lyden (Ordinary Member)

Decision of the Tribunal

The Tribunal determined that the property factors have complied with the terms of the Property Factor Enforcement Order made on 8 September 2022.

Reasons for Decision

Following a Case Management Discussion on 30 August 2022, the Tribunal notified the Parties that it intended to make a Property Factor Enforcement Order (“PFEO”) requiring the property factors to pay to the homeowner the sum of £500 by way of compensation for inconvenience and distress in respect of their failure to comply with the property factor’s duties. The PFEO was made and sent to the Parties on 8 September 2022.

On 18 November 2022, the homeowner told the Tribunal that the compensation payment of £500 had been received.

The Tribunal decided, therefore, that the property factors have complied with the PFEO.

The Tribunal’s Decision was unanimous.

Right of Appeal

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.



Signed

Dated: 21 November 2022

Chairperson