

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

**Certificate of Compliance following upon a decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 17(1) of the Property Factors (Scotland) Act 2011**

**Chamber Ref: FTS/HPC/LM/20/2371**

**Shawfair Phase 1, Bellway Development, Danderhall, EH22 1FQ  
("the Property")**

**The Parties:-**

**Mr Jamie Ross, 38 Redcroft Road, Shawfair, EH22 1FQ  
("the Homeowner")**

**Scottish Woodlands Ltd, 2 Roddinglaw Court, Roddinglaw Business Park, Roddinglaw Road, Roddinglaw, Edinburgh EH12 9DB  
("the Factor")**

**Tribunal Members:**

**Graham Harding (Legal Member)  
Elaine Munroe (Ordinary Member)**

### **Decision**

The Tribunal has determined that the Factor has complied in full with the terms of the Property Factor Enforcement Order ("PFEO") issued on 26 February 2021 therefore no further action is required.

The decision is unanimous.

### **Statement of Reasons**

1. By decision dated 29 January 2021, the Tribunal determined that the Factor had failed to carry out its property factor's duties.
2. The Tribunal issued a Notice of Proposed PFEO together with the decision on 8 February 2021 and invited representations within 14 days of the Notice being received by the parties.
3. By email dated 10 February 2021 requested the Tribunal review the proposed PFEO.

4. The Tribunal considered the Homeowner's request for a review and by its decision dated 2 March 2021 unanimously refused the request and issued the PFEO in the same terms as the proposed PFEO.
5. By email received on 11 March 2021 the Homeowner advised the Tribunal that the terms of the PFEO had been complied with and that he had received payment of £45.98 from the Factor.
6. The Tribunal having considered matters and being satisfied that the PFEO has been complied with by the Factor has determined that no further action is required.

### **Right of Appeal**

7. 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 within 30 days of the date the decision was sent to them.

Graham Harding Legal Member and Chairperson

12 April 2021