

Housing and Property Chamber

First-tier Tribunal for Scotland



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

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/22/0311

FTS/HPC/PF/22/0312

Flat 25, Montgomerie Crescent, Saltcoats, Ayrshire, KA21 5BT

(“The Property”)

The Parties:

**Mrs Angela Cook, Flat 25, Montgomerie Crescent, Saltcoats, Ayrshire, KA21 5BT
(“The Homeowner”)**

**Rentolease Property Management Ltd, Rentolease, 52 Templehill, Troon,
Ayrshire, KA10 6BE (“The Factor”)**

Tribunal Members:

George Clark (Legal Member)

Robert Buchan (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 24 August 2022.

Reasons for Decision

Following a Case Management Discussion on 28 June 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 £250 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 24 August 2022, but it contained an error, in that it stated the compensation payment to be £500, the correct figure being £250.

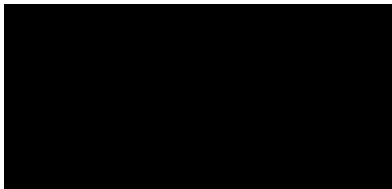
On 26 August 2022, the homeowner told the Tribunal that the compensation payment of £250 had been paid into her bank account.

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: 31 August 2022

Chairperson