

Housing and Property Chamber

First-tier Tribunal for Scotland



Property Factor Enforcement Order made under Section 19(3) of the Property Factors (Scotland) Act 2011 as amended (“the 2011 Act”) following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) (the tribunal) in an application under Section 17(1) of the 2011 Act.

Chamber Ref: FTS/HPC/PF/21/3219 and FTS/HPC/PF/22/2246

Re: Property at 55 Kelvin Court, Glasgow, G12 0AG (“the Property”)

Parties:

Mrs Catriona Graham (“the Applicant” and “Homeowner”)

Newton Property Management limited, 87 Port Dundas Road, Glasgow, G4 0HF (“the Respondent” and “Property Factor”)

Tribunal Member:

Martin McAllister, solicitor, (Legal Member) and Robert Buchan, chartered surveyor, (Ordinary Member) (“the tribunal”)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) considered matters and made a property factor enforcement order.

This document should be read in conjunction with the tribunal’s Decision of the same date.

The tribunal makes the following Property Factor Enforcement Order (“PFEO”):

The Tribunal requires the Property Factor to pay the sum of Seven hundred and fifty pounds (£750) to the Homeowner within thirty days of the service on it of the final PFEO in terms of Section 19 (3) of the 2011 Act.

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

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 from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

Martin J. McAllister
Legal Member.

9 August 2023