

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) issued under section 31 of the First-tier Tribunal for Scotland Housing and Property Chamber Procedure Regulations 2017.

### **CERTIFICATE OF COMPLIANCE with the PROPERTY FACTOR ENFORCEMENT ORDER DATED 7th December 2022 ('The PFEO')**

Chamber Ref:FTS/HPC/PF/22/0190

168 Inverewe Place, Dunfermline, Fife, KY11 8FW ('the Property')

#### **The Parties:**

Mrs Diane Jackson residing at Suite 117 GAB Elgin Avenue, Grand Cayman ('the Homeowner and Applicant')

James Gibb Property Management Limited, t/a James Gibb, Bellahouston Business Centre, 423 Paisley Road West, Glasgow, G51 1PZ ('the Factor and Respondent')

#### **Committee members:**

Jacqui Taylor (Chairperson) and Mike Scott (Ordinary Member).

#### **Decision of the Tribunal**

The Tribunal having determined that the PFEO dated 7<sup>th</sup> December 2022 ('PFEO') relating to the Property has been complied with, certifies that the Factor has complied with the PFEO.

#### **Reasons for the Decision**

1. The Tribunal issued the **PFEO** in the following terms:

*'The Factor must pay the homeowner £266 for the inconvenience she had suffered from their own funds and at no cost to the owners. The said sums to be paid within 28 days of the communication to the Factor of the Property Factor Enforcement Order. If the homeowner's account is in arrears the said sum may be credited to her account'*.

2. The Tribunal sent the parties the PFEO by email dated 9<sup>th</sup> December 2022.

3. The Factor's solicitor sent the Tribunal administration an email dated 28<sup>th</sup> December 2022 which confirmed that the PFEO had been complied with.

4. The Homeowner's Representative confirmed that he was satisfied that the terms of the PFEO had been satisfied by email dated 11<sup>th</sup> January 2023.

5. The Tribunal were satisfied that the Factor has complied with the PFEO. The Tribunal therefore issues this Certificate of Compliance. No further action is required by the Factor in terms of the PFEO.

**Right of Appeal**

**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.**

Signed.....Date 12<sup>th</sup> January 2023  
Chairperson