

Housing and Property Chamber

First-tier Tribunal for Scotland



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 17th November 2020 ('The PFEO')

Chamber Ref:FTS/HPC/PF/20/0120

Flat 0/2, 23 Sutcliffe Road, Glasgow, G13 1BU ('the Property')

The Parties:

Maureen McCormack residing at Flat 0/2, 23 Sutcliffe Road, Glasgow, G13 1BU ('the Homeowner')

Glasgow Housing Association Limited, 25 Cochrane Street, Glasgow, G1 1HL ('the Factor')

Tribunal members:

Jacqui Taylor (Chairperson) and Andrew Taylor (Ordinary Member).

Decision of the Tribunal

The Tribunal having determined that the PFEO dated 17th November 2020 ('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:

'Glasgow Housing Association Limited are directed:-

(First) To send a formal written apology to Mrs McCormack, the Homeowner, in respect of their failure (i) to comply with section 2.1 of the Code regarding falsely advising the homeowner that the joists were part of the solum and as a result the joists were common parts of the tenement and (ii) for their delay in having the communal gutters repaired.

(Second) To remit the sum of £300 to Mrs McCormack, the Homeowner, from their own funds and at no cost to the owners of 23 Sutcliffe Road, Glasgow. The said

sums to be paid by 31st December 2020. Glasgow Housing Association Limited are directed to provide the Tribunal with evidence that the said sums have been paid within seven days of the payment being remitted to the Homeowner.'

2. On 26th October 2020 the Homeowner sent the Tribunal Administration an email confirming that he had received the payment of £300 from the Factor and the letter of apology.

3. 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 17th November 2020
Chairperson