

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Proposed Property Factor Enforcement Order under Section 19 of the Property Factors (Scotland) Act 2011

Case reference: FTS/HPC/PF/19/2260

Re:- 100 Rockbank Crescent, Glenboig, North Lanarkshire ML5 2TA

The Parties:-

Mr John Wallace, 100 Rockbank Crescent, Glenboig, North Lanarkshire ML5 2TA ('the homeowner');

and

Newton Property Management, 87 Port Dundas Road, Glasgow G4 0HF ('the respondent')

Tribunal Members:

Richard Mill (legal member) and Mary Lyden (ordinary member)

Decision

The Tribunal having determined by decision of even date, to issue a Property Factor Enforcement Order ("PFEО"), the Tribunal hereby gives Notice in terms of section 19(2) of the Act that it proposes to make the following PFEО:-

1. "The respondent shall credit the homeowner's factoring account to the extent of £850.00.
2. The respondent shall issue a letter of apology to the homeowner for having breached sections 1, 2.5 and 4.8 of the Code. The respondent shall also issue a letter of satisfaction to the homeowner confirming that all debts and sums due under any Court Decree have been paid and settled in full.

Such action as specified in items 1. and 2. must be undertaken within 14 days. Evidence of the respondent's compliance of items 1 and 2 of the PFEО require to be produced to the Tribunal within 21 days."

Legal Member

Date 15 November 2019