

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 27th July 2022 ('the PFEO')

Chamber Ref:FTS/HPC/PF/21/0244

Flat 1, 33 Kent Road, Glasgow, G3 7BY ('the Property')

The Parties:

Leanne Baxter residing at 156 Fernwood Drive, Old Tappen, NJ07675, New Jersey, USA ('the Homeowner and Applicant')

Speirs Gumley, 270 Glasgow Road, Rutherglen, Glasgow, G73 1UZ ('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 27th July 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:

'Speirs Gumley must:

1. Provide the Homeowner with a clear statement of how service delivery and charges will be affected if one or more homeowner does not fulfil their obligations within 28 days of the communication to the Factor of the Property Factor Enforcement Order.

Pay the Homeowner £300 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

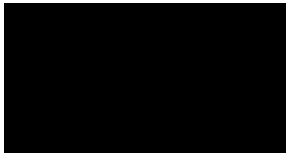
Order. Notwithstanding the foregoing, in the event that the Homeowner's account with Speirs Gumley is in debit the said sum of £300 may be credited to the Homeowner's common charges account.'

2. On 25th August 2022 the Homeowner sent the Tribunal Administration a letter confirming that PFEO had been complied with. She also commented on the Tribunal process. It is not the place of the Tribunal to reply to that aspect of her email.

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 12th September 2022
Chairperson