

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Variation of PFEO: Property Factors (Scotland) Act 2011, Section 21

Chamber Ref: FTS/HPC/LM/19/1850

Common Ground, Belvedere Village, Parkhead, Glasgow, G31 4QD
("The Property")

The Parties:-

Mr Lewis Cole, 65 Springbank Gardens, Parkhead, Glasgow, G31 4QD
("the Applicant")

SG Property Management Limited, 272 Bath Street, Glasgow, G2 4JR
("the Respondent")

NOTICE TO SG Property Management Limited The Respondent

The First-tier tribunal for Scotland (Housing and Property Chamber) ('the tribunal') having determined that the **Property Factor Enforcement Order** relative to the Property dated 18 February 2020, intimated on 21 February 2020, should be varied, the said **Property Factor Enforcement Order is hereby varied** with effect from the date of service of this Notice in the following respects:-

1. The period of thirty days from the date of intimation allowed for the completion of the matters required by the order is extended to 16 November 2020.
2. The order is further varied in the following respects:

a. Order 3.2 is varied so that it now reads:

“Consult with the owners in the Development in accordance with the written procedure for consultation in order 3.1.2 about proposals for possible additional measures to prevent rogue parking in other areas of Common Ground in the Development.”

b. The wording in order 3.3.5 is varied so that it now reads:

“that the Respondent will consult with the Proprietors in the Development, in accordance with the written procedure on consultation, on proposals for possible additional measures to prevent rogue parking in other areas of Common Ground in the Development.”

Failure to comply with a PFEO has serious consequences and may constitute an offence.

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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

Ms. Susanne L. M. Tanner, Queen's Counsel
Legal Member and Chair of the tribunal

4 August 2020