

# Housing and Property Chamber

## First-tier Tribunal for Scotland



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

**Certificate of Compliance in terms of Section 23(1) of the Property Factors (Scotland) Act 2011**

**Chamber Ref: FTS/HPC/PF/21/1272**

**Re : 30/5 Eyre Crescent, Edinburgh EH3 5EU ("Property")**

**The Parties:-**

**Aylmer Millen, 5 Hillpark Grove, Edinburgh EH4 7AP ("Homeowner")**

**James Gibb Limited, 4 Atholl Place, Edinburgh EH3 8HT ("Factor")**

**Tribunal Members:**

**Joan Devine – Chairing and Legal Member**

**Colin Hepburn – Ordinary Member**

**Decision**

In terms of its Decision dated 23 August 2021, the Tribunal issued a Property Factor Enforcement Order ("PFEO") in the following terms:

The Factor will pay to the Homeowner within 21 days of the date of service of this order the sum of Two Hundred and Fifty Pounds (£250) from their own funds in order to compensate the Homeowner for the inconvenience caused as a result of the Factor's failure to comply with the Property Factors Code of Conduct.

**Reasons for Decision**

By email dated 14 October 2021, the Homeowner advised that the Factor had paid to him the sum of £250 as required by the PFEO.

**Appeals**

In terms of section, 46 of the Tribunals (Scotland) Act 2014 a homeowner or property factor 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.

Joan Devine Legal Member

Date: 16 June 2022