

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision and Certificate of Compliance following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 17(1) of the Property Factors (Scotland) Act 2011.

Reference number: FTS/HPC/LM/21/0290

Re: Property at 41 Lawrie Reilly Place, Edinburgh, EH7 5EU (“the Property”)

The Parties:

Ms Shelagh Young, 41 Lawrie Reilly Place, Edinburgh, EH7 5EU (“the Applicant” and “Homeowner”)

RMG Scotland Ltd, Unit 6, 95 Morrison Street, Glasgow, G5 8BE (“the Respondent” and “Property Factor”)

Tribunal Members:

Martin J. McAllister, Solicitor, (Legal Member)

**Mike Links, Chartered Surveyor, (Ordinary Member)
(the “tribunal”)**

Certificate of Compliance with Property Factor Enforcement Order made on 30th January 2022.

The tribunal determines that the said Property Factor Enforcement Order has been complied with.

Terms of the Property Factor Enforcement Order (PFEO):

The Property Factor is to pay compensation of £600 to the Homeowner within twenty eight days of service of the Property Factor Enforcement Order.

Reasons for Decision

1. On 7th February 2022, the Homeowner emailed the Tribunal and intimated that she had been paid £600 by the Property Factor and attached a copy of her bank statement which vouched that such payment has been made.
2. On 9th February 2022, the Property Factor emailed the Tribunal and attached a document from Barclays Bank confirming that the sum of £600 had been paid by it to the Homeowner.

3. The members of the Tribunal considered matters and determined that the PFEO had been complied with as they were satisfied with the terms of the emails from the Homeowner and the Property Factor.

Appeals

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.



Martin J. McAllister
Legal Member
9th February 2022

