

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Proposed Property Factor Enforcement Order (“PFEO”): Property Factors (Scotland) Act 2011 Section 19(2)

Chamber Ref: FTS/HPC/PF/17/0156

**1239/1241 Cathcart Road, Glasgow, G42 9HA
("The Property")**

The Parties:-

Mr Beinan Liu

(“the Applicant”)

Macfie & Co. Management Services Ltd.

(“the Respondent”)

Tribunal Members:

G. McWilliams (Legal Member)

S. Hesp (Ordinary Member)

This document should be read in conjunction with the First-tier Tribunal’s Decision of the same date.

The First-tier Tribunal (“the Tribunal”) proposes to make the following PFEO:

The Respondent is to send a letter to the Applicant apologising in respect of the intimidating language used in previous communications and providing the Applicant with an undertaking that there will be no further communications sent to him which contain intimidating terms. The letter is to be sent by the Respondent to the Applicant within 14 days of the issue of the PFEO.

Section 19(2) of the Property Factors (Scotland) Act 2011 (“the 2011 Act”) provides as follows:

The intimation of the Tribunal’s Decision and proposed PFEO to the parties should be taken as notice for the purposes of Section 19(2)(a) of the 2011 Act and parties are hereby given notice that they should ensure that any written representations which they wish to make in terms of Section 19(2)(b) of the 2001 Act reach the Tribunal no later than 14 days after the date that the Decision and proposed PFEO are sent to them by the Tribunal. If no representations are received within that timescale the Tribunal can issue a PFEO without seeking further representations from the parties.

In terms of Section 24 (1) of the 2011 Act, a person/ body who, without reasonable excuse, fails to comply with a PFEO, commits an offence.

G McWilliams
Legal Member
29th January 2018