

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in terms of section 19 of the Property Factors (Scotland) Act 2011

In an Application under section 17 of the Property Factors (Scotland) Act 2011

by

Ryan Grant, Flat 3, Bothwell House, The Furlongs, Hamilton ML3 0DQ (“the Applicant”)

WM Cumming Turner and Watt, 40 Carlton Place, Glasgow G5 9TS (“the Respondent”)

Chamber Ref: HOHP/PF/16/0120

Re: Flat 3, Bothwell House, The Furlongs, Hamilton ML3 0DQ (“the Property”)

Tribunal Members:

John McHugh (Chairman) and Susan Napier (Ordinary (Surveyor) Member).

DECISION

The Tribunal has decided to issue a Property Factor Enforcement Order (“PFEO”). The terms of the PFEO are stated below.

The decision is unanimous.

REASONS FOR DECISION

No correspondence has been received from the parties in the period since the issue of our Decision and Proposed PFEO dated 26 April 2017. We are therefore of the view that a PFEO should be issued in accordance with the original proposal.

PROPERTY FACTOR ENFORCEMENT ORDER

The Tribunal hereby makes the following Property Factor Enforcement Order ("PFEO"):

Within 31 days of the date of the communication to the Respondent of this Property Factor Enforcement Order, the Respondent must:

- 1 Pay to the Applicant the sum of £200.
- 2 Confirm in writing to the office of the Tribunal that step 1 above has been carried out.

Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.

APPEALS

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.

J McHugh

JOHN M MCHUGH

CHAIRMAN

DATE: 20 June 2017