

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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**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**

**Chamber Ref: FTS/HPC/PF/24/4464**

**Property address: 24 Forth House, Abbotshall Road, Kirkcaldy, KY1 1AN (“the Property”)**

### **The Parties**

**Mr Gordon Hume, 24 Forth House, Abbotshall Road, Kirkcaldy, KY1 1AN (“the Homeowner”)**

**Ross and Liddell Ltd., Unit 21A, City Quay, Camperdown Street, Dundee, DD1 3JA (“the Property Factor”)**

### **Tribunal Members**

**Ms H Forbes (Legal Member) and Ms E Williams (Ordinary Member)**

### **Decision of the Tribunal**

The Tribunal having determined that the Property Factor Enforcement Order (“PFEО”) relating to the Property dated 25<sup>th</sup> July 2025 has been complied with, hereby certifies that the Property Factor has complied with the PFEО.

### **Reasons for Decision**

1. By decision dated 7<sup>th</sup> July 2025, the Tribunal determined that the Property Factor had failed to carry out their property factor duties.
2. The Tribunal issued a proposed PFEО dated 7<sup>th</sup> July 2025 in the following terms, giving parties an opportunity to make representations:

“The Property Factor is required, within 30 days of the making of this Property Factor Enforcement Order, to make payment of the sum of £200.00 from their own funds to compensate the Homeowner for the distress, frustration and inconvenience caused as a result of the Property Factor’s failure to carry out its property factor duties.”

3. Neither party made any representations on the proposed PFEО.

4. The Tribunal issued a PFEO dated 25<sup>th</sup> July 2025 in the same terms as the proposed PFEO.
5. By emails dated 13<sup>th</sup> August 2025, both parties confirmed compliance with the PFEO.
6. The Tribunal is satisfied that the PFEO has been complied with by the Property Factor. The decision is unanimous.

### **Right of Appeal**

**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.**

Legal Member

15<sup>th</sup> August 2025