

# Housing and Property Chamber

First-tier Tribunal for Scotland



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

**Property Factor Enforcement Order (“PFEO”): Property Factors (Scotland) Act 2011 Section 19(3)**

**103 Linksfield Court, Aberdeen, AB24 1GU (“the Property”)**

**Parties:**

**Federico Garcia Lopez de la Torre, 103 Linksfield Court, Aberdeen, AB24 1GU (“the Homeowner”)**

**Aberdeen City Council, Marischal College, Business Hub 6, First Floor South, Aberdeen, AB10 1 AB (“the Property Factor”)**

**Tribunal Members:**

**Josephine Bonnar (Legal Member)  
Elizabeth Dickson (Ordinary Member)**

This order should be read in conjunction with: -

The Tribunal’s decision with statement of reasons dated 14 March 2024.

**Decision**

The Tribunal has decided that it should make a PFEO in amended terms.

The decision of the Tribunal is unanimous.

**Reasons for decision**

On 23 October 2023, following a decision by the Upper Tribunal on 8 September 2023, to uphold some additional complaints, the Tribunal proposed to make a PFEO in the following terms:-

- (1) The Tribunal order the Property Factor to pay to the Homeowner the sum of £700 for his time, effort, and inconvenience, within 28 days of intimation of the PFEO.

The Tribunal indicated that prior to making a PFEO, it would provide the parties with the opportunity to make representations under section 19(2)(b) of the Act. Reference is made to the decision with statement of reasons dated 14 March 2024.

### **Property Factor Enforcement Order**

The First-tier Tribunal hereby makes the following PFEO:

- (1) The Tribunal order the Property Factor to pay to the Homeowner the sum of £1200 for his time, effort, and inconvenience,

All within 28 days of intimation of the PFEO.

**Under Section 24(1) of the Property Factors (Scotland) Act 2011, a person who, without reasonable excuse, fails to comply with a property factor enforcement order commits an offence.**

### **Appeals**

**A homeowner or property factor aggrieved by a 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.**

Josephine Bonnar, Legal Member

14 March 2024