

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)

Chamber Reference No: FTS/HPC/PF/24/3014

Mr. Hamish Anderson, residing at Flat 1/1, 65 Hillfoot Street, Dennistoun, Glasgow G31 2NB (“the Applicant”)

Newton Property Management Limited, 87 Port Dundas Road, Glasgow G4 0HF (“the Respondents”)

Re: Property at Flat 1/1, 65 Hillfoot Street, Dennistoun, Glasgow, G31 2NB (“the Property”)

Tribunal Members:

Andrew Cowan (Chairman) and Mary Lyden (Ordinary (General) Member).

This document should be read in conjunction with the First-tier Tribunal’s Decision of 18th August 2025

Decision

The Tribunal has decided that it will make a PFEO in the terms originally proposed by it.

The decision of the Tribunal is unanimous

Reasons for Decision

In the Tribunal’s decision of 18th August 2025, it proposed to make a property factor enforcement order (“PFEO”).

The Tribunal indicated that prior to making a PFEO, it would provide the parties with a period of fourteen days within which to make representations under section 19(2)(b) of the Act.

The Tribunal's decision was intimated to the parties on 18th August 2025.

The parties have not made any representations in relation to the terms of the proposed PFEO.

Property Factor Enforcement Order

The First-tier Tribunal accordingly hereby makes the following PFEO: -

The Property Factor is required, within 30 days of the making of this Property Factor Enforcement Order, to make payment of the sum of £150.00 from their own funds to compensate the Homeowner for the frustration and inconvenience caused as a result of the Property Factor's failure to carry out its property factor duties.'

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 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.

Andrew Cowan Legal Member and Chair

Date 15th October 2025