

Housing and Property Chamber

First-tier Tribunal for Scotland



CERTIFICATE OF COMPLIANCE IN TERMS OF SECTION 23(1) OF THE PROPERTY FACTORS (SCOTLAND) ACT 2011 AND RULE 31 OF THE FIRST-TIER TRIBUNAL FOR SCOTLAND HOUSING AND PROPERTY CHAMBER (PROCEDURE) REGULATIONS 2016

Chamber Ref: HOHP/PF/16/0123

The Property:

5d Gillsburn Gardens, Kilmarnock KA3 1DZ

The Parties:-

Mrs Gillian Jamieson, residing at 16 Mallicot Close, Lichfield, Staffordshire WS13 6DG (“the homeowner”)

and

East Ayrshire Council Housing Asset Services, Burnside Street Kilmarnock KA1 4EX (represented by their agent Ms Julie Nicholson, Solicitor, East Ayrshire Council, Governance Services – Legal, Council Headquarters, London Road, Kilmarnock KA3 7BU (“the factors”)

The Tribunal:

David Preston (Chairman); and Andrew Taylor (Surveyor Member).

Decision of the Tribunal

The Tribunal certifies that the factors have complied with the Property Factor Enforcement Order relative to the Property dated 21 June 2017.

Background

In terms of its Decision dated 18 January 2017 the tribunal issued a Property Factor Enforcement Order (PFOE) in the following terms:-

Within one month from the date of service of this PFOE the factors will:

1. Pay to the homeowner from their own funds the sum of £250 by way of compensation for the time effort and stress caused to the homeowner.

Reasons for decision

By email dated 23 June 2017 the homeowner advised that the factors had paid to her the sum of £250 as required by the PFEO.

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.

David Preston

Chairman

24 July 2017