



## **PROPERTY FACTOR ENFORCEMENT ORDER**

**Issued by the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 17 of the Property Factors (Scotland) Act 2011 ("the 2011 Act")**

**Chamber Ref: FTS/HPC/PF/24/2699**

**The Beresford Flat, 4/06, 460 Sauchiehall Street, Glasgow, G2 ("the Property")**

**Parties:**

**Miss Sarah Watson, 22 Village Green Lennoxtown, G66 7BD ("the Applicant")**

**Speirs Gumley Property Management Ltd, Red Tree Magenta, 270 Glasgow Road, Glasgow, G73 1UZ ("the Respondents")**

**Tribunal Members:**

**Nicola Weir (Legal Member) and Elizabeth Dickson (Ordinary Member)**

### **NOTICE TO THE PARTIES**

1. The Tribunal, having made such enquiries as it saw fit for the purpose of determining whether the property factor has complied with the Code of Conduct for Property Factors(2021), in terms of the Property Factors (Scotland) Act 2011 ("the 2011 Act") and determined that the property factor had failed to comply with Overarching Standards of Practice 2 and 5 of the Code of Conduct, all as stated in their Decision dated 12 March 2025.
2. The Tribunal intimated to parties, in terms of their said Decision, that they proposed to make a Property Factor Enforcement Order ("PFEQ"). The terms of which were detailed in their Notice of Proposed PFEQ, a copy of which was issued to parties, together with the Decision on 29 April 2025. The parties were given notice that they should ensure that any written representations they wished to make under Section 19(2)(b) of the 2011 Act reached the Chamber by no later than 14 days after the date that the Decision and Notice of Proposed PFEQ was issued to them.
3. Although the Respondent applied for a Review of the Tribunal's Decision on 13 May 2025, which was refused by the Tribunal by Decision dated 30 May 2025,

the Respondent did not apply for a review or variation of the specific terms of the proposed PFEO by way of their written representations, and nor did the Applicant.

4. Section 19(3) of the 2011 Act requires the Tribunal to make a PFEO where they have determined that the Property Factor has failed to carry out property factor duties or comply with the Code of Conduct. Accordingly, the Tribunal now makes the following Property Factor Enforcement Order (PFEO):-

*“1. The Property Factor is ordered to pay the Homeowner the sum of £250 from its own funds in respect of her time and efforts, and the distress, worry and inconvenience caused to the Homeowner as a consequence of the Property Factor’s breaches of the Code; said sum to be paid to the Homeowner within 30 days of the date of issue of the PFEO.*

*2. The Property Factor shall provide evidence to the Tribunal of compliance with paragraphs 1 of the PFEO within a period of 35 days of intimation of issue of the PFEO.”*

**Failure to comply with a PFEO may have serious consequences and constitute an offence.**

---

**Legal Member/Chair**

**20 June 2025**  
**Date**