

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Proposed Property Factor Enforcement Order (“PFEO”): Property Factors (Scotland) Act 2011 Section 19(2)

Chamber Ref: FTS/HPC/PF/21/0404

The Property: 34 Hillman Crescent, Paisley, PA3 3FD (“the Property”)

The Parties:-

Mr Andrzej Suwik 34 Hillman Crescent, Paisley, PA3 3FD (“the Applicant”), and

Lloyd Younger Ltd, Midland Centre, Fenwick, KA3 6BY (“the Respondent”)

Tribunal Members:

G McWilliams (Legal Member) and C Jones (Ordinary Member)

This document should be read in conjunction with the First-tier Tribunal’s Decision of the same date.

The First-tier Tribunal (“the Tribunal”) proposes to make the following PFEO:

The Respondent is to make a compensation payment to the Applicant, in the sum of £200.00, within 14 days of the date of issue of the PFEO.

Section 19(2) of the Property Factors (Scotland) Act 2011 (“the 2011 Act”) provides as follows:

The intimation of the Tribunal’s Decision and proposed PFEO to the parties should be taken as notice for the purposes of Section 19(2)(a) of the 2011 Act. Parties are hereby given notice that they should ensure that any written

representations which they wish to make in terms of Section 19(2)(b) of the 2001 Act reach the Tribunal no later than 14 days after the date that the Decision and proposed PFEO are sent to them by the Tribunal. If no representations are received within that timescale the Tribunal can issue a PFEO without seeking further representations from the parties.

In terms of Section 24 (1) of the 2011 Act, a person/ body who, without reasonable excuse, fails to comply with a PFEO, commits an offence.

G McWilliams

Legal Member 22nd February 2022.