



Failure to Comply Decision in relation to a Property Factor Enforcement Order made in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Reference number: FTS/HPC/PF/23/1109

Re: Property at Flat 3, 9 Watson Street, Glasgow G1 5AF ("the Property")

The Parties:

Miss Marjory Ofoegby, 43, Greenoakhill Gate, Glasgow, G71 7PR ("the Applicant")

Cumming, Turner & Watt, 40 Carlton Place, Glasgow, G5 9TS ("the Respondent")

Tribunal Members:

Andrew McLaughlin (Legal Member) and Nick Allan (Ordinary Member)

WHEREAS in terms of their decision dated 28 April 2024, The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Respondent had failed to comply with the Code of Conduct for Property Factors ("The Code") and **WHEREAS** The Tribunal, by decision dated 3 June 2024, made a Property Factor Enforcement Order which ordered the Respondent to pay to the Applicant the sum of £300.00 and send an email to the Applicant detailing exactly what the position is about the status of the relevant repairs within 28 days, The Tribunal now confirms that the Respondent has failed to comply with the terms of that Order.

Right of Appeal

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.

Signed

15 August 2024 Chairperson

Dated: