

# Housing and Property Chamber

## First-tier Tribunal for Scotland



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

**Certificate of Compliance following upon a decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 17(1) of the Property Factors (Scotland) Act 2011**

**Chamber Ref: FTS/HPC/PF24/0893**

**Re: 1-16 Park Manor, Crieff PH7 4LJ**

### **Parties:**

**Mr Peter Boyle, 15 Park Manor, Crieff PH7 4LJ (the Homeowner”)**

**James Gibb Property Management Limited, Unit J, Prospect Business Centre, Gemini Crescent, Dundee (“the Factor”)**

### **Tribunal Member:**

**Graham Harding (Legal Member)**  
**Sandra Brydon (Ordinary Member)**

### **Decision**

The Tribunal has determined that the Factor has complied in full with the terms of the Property Factor Enforcement Order (“PFEO”) dated 19 September 2025 therefore no further action is required.

The decision is unanimous.

### **Statement of Reasons**

1. By decision issued on 27 April 2025, the Tribunal determined that the Factor had failed to carry out its duties under section 14(5) of the Property Factors (Scotland) Act 2011 (“the 2011 Act”).
2. The Tribunal issued a Notice of Proposed PFEO together with the decision on 27 April 2025 and invited representations within 14 days of the Notice being received by the parties.

3. By email received on 12 May 2025 the Homeowner requested the Tribunal review its decision and proposed PFEO.
4. The Tribunal considered the Homeowner's application and by its decision dated 19 September 2025 granted the application and issued an amended decision and PFEO.
5. By email dated 3 November 2025 the Factor advised the Tribunal that the terms of the proposed PFEO had been complied with and provided correspondence to that effect addressed to the Homeowner.
6. By email dated 12 November 2025 the Homeowner submitted to the Tribunal a copy of correspondence dated 11 November 2025 he had sent to the Factor complaining that he did not think the terms of the apology received from the Factor complied with the terms of the PFEO and also raising other issues regarding his concerns about the Factor's management of the electricity supply at the property.
7. The Tribunal has carefully considered the terms of the apology provided to the Homeowner by the Factor and also the explanation provided with regards to the refund of £1141.12 and is satisfied that the Factor has complied with parts (2) and (3) of the PFEO and also that it has complied with part (1). In reaching its decision the Tribunal acknowledges that the Homeowner may consider he has current issues with the service being provided by the Factor but that would be outwith the jurisdiction of this Tribunal. If these cannot be resolved through the Factor's complaints process it would of course be open to the Homeowner to make a further application to the Housing and Property Chamber.
8. The Tribunal having considered matters and being satisfied that the PFEO has been complied with by the Factor has determined that no further action is required.

### **Right of Appeal**

9. 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 within 30 days of the date the decision was sent to them.

Graham Harding  
Legal Member and Chairperson  
13 November 2025