

# Housing and Property Chamber

## First-tier Tribunal for Scotland



**Notice of proposal to make a Property Factor Enforcement Order  
made under Section 19(2)(a) of the Property Factors (Scotland) Act 2011 ("the  
Act") following upon a Decision of the First-tier Tribunal for Scotland  
(Housing and Property Chamber) ("the tribunal")**

Chamber Ref: HOHP/PF/16/0103

**Property:** Flat 1/2, 11 Aberfeldy Street, Glasgow, G31 3NS

### **The Parties:-**

Ms Wanda Anna Kawik, Flat 1/2, 11 Aberfeldy Street, Glasgow, G31 3NS ("the homeowner") represented by David Balmer, Citizen's Advice Bureau, 14 Anderson Street, Airdrie, ML6 OAA

Edzell Property Management, 1008 Pollokshaws Road, Glasgow, G41 2HG ("the property factors") represented by agent, Richard Taylor, solicitor and Mr Timothy Lovat, Managing partner.

### **NOTICE TO THE PROPERTYFACTORS**

This document should be read in conjunction with the tribunal's Decision under Section 19(1) (a) of the Act of the same date. The tribunal proposes to make the following Property Factor Enforcement Order ("PFEQ")

Within 21 days of notification of this order, the property factors must:

1. Issue a written apology to the homeowner for their failure to comply with section 2.5 of the code of conduct and for their failure to meet the property factors' duties as required by the Act.
2. Make a payment to the homeowner of £100 in recognition of the inconvenience which the homeowner has experienced and by way of compensation for the failure to provide an adequate service between January and June 2013.

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

#### **Right of Appeal**

A party to this application, aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.

Simone Sweeney

Legal member .....

At Glasgow on 2 May 2017