

# Housing and Property Chamber

## First-tier Tribunal for Scotland



**Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber)**  
**In an Application under section 17 of the Property Factors (Scotland) Act 2011**

by

**Aylmer Millen, 5 Hillpark Grove, Edinburgh EH4 7AP ("the Applicant")**

**Charles White Limited, Citypoint, 65 Haymarket Terrace, Edinburgh EH12 5HD ("the Respondent")**

**Reference No: FTS/HPC/PF/18/3060**

**Re: Property at Hillpark Grove, Edinburgh  
("the Property")**

### **Tribunal Members:**

John McHugh (Chairman) and David Hughes Hallett (Ordinary (Surveyor) Member).

### **Decision**

**The Tribunal hereby determines that the Property Factor Enforcement Order has been complied with.**

The decision is unanimous.

### **Reasons for Decision**

The Tribunal issued a Property Factor Enforcement Order ("PFOE") on 8 March 2019.

This required the Respondent to pay to the Applicant the sum of £100 within 40 days.

In terms of section 23(1) of the 2011 Act, the Tribunal is to determine whether the Respondent has complied with the PFOE.

The Tribunal gave consideration to the extent to which the PFOE had been complied with.

Both parties have provided written confirmation to the Tribunal that the payment has been made.

The Tribunal hereby finds that the PFEO has been complied with.

### **Appeals**

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 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 ....., ..... Date 24 April 2019

**JOHN M MCHUGH**

**Chairperson**