

# Housing and Property Chamber

## First-tier Tribunal for Scotland



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

**PROPERTY FACTOR ENFORCEMENT ORDER: Property Factors (Scotland) Act 2011, section 19(3)**

Case Reference Number: FTS/HPC/PF/19/3126

**The Property:**

**135 Greenrigg Road, Cumbernauld, G67 2QB**

**The Parties:-**

**Donald Maciver, 18A North Tolsta, Lewis, HS52 0NW**

(“the Homeowner”)

and

**Apex Property Factor, 46 Eastside, Kirkintilloch, East Dunbartonshire, G66 1QH**

(“the Factors”)

**Tribunal Members:**

Adrian Stalker (Chairman) and Andrew Taylor (Ordinary Member)

**This document should be read in conjunction with First-tier Tribunal’s Decision and Proposed Property Factor Enforcement Order, both of 16 March 2020**

**Decision**

The Tribunal has decided that it should make a PFEO in the terms previously proposed.

**Reasons for the Decision**

Since the First-tier Tribunal’s Decision and Proposed PFEO were issued to the parties, the Tribunal has received no representations from either party. Accordingly, the

Tribunal has decided to make a PFEO in the terms previously proposed. This decision is unanimous.

### **Property Factor Enforcement Order**

The First-tier Tribunal hereby makes the following PFEO:

**In terms of section 20(1) of the Property Factors (Scotland) Act 2011, the Factors are required to make a payment of £260 to the Homeowner, within 14 days of intimation of this order. Evidence of such payment should be provided to the Tribunal.**

**Under Section 24(1) of the Property Factors (Scotland) Act 2011, a person who, without reasonable excuse, fails to comply with a property factor enforcement order commits an offence.**

### **Appeals**

**A homeowner or property factor 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            9 December 2020

Chairman