



Certificate of Compliance and Decision relating to the Property Factor Enforcement Order (“PFEO”) dated 9 June 2021 issued under the Property Factors (Scotland) Act 2011 (“the Act”)

Case reference: FTS/HPC/PF/21/0079

Re:- Flat 3/2 Eastfield Road, Springburn G21 1NF

The Parties:-

Mrs Hazel Gibson, Flat 3/2 Eastfield Road, Springburn G21 1NF
("the Applicant")

and

**James Gibb Residential Property Factors, 65 Greendyke Street, Glasgow
G1 5PX**
("the Respondent")

Tribunal Members:

Richard Mill (legal member) and Mr Andrew Taylor (ordinary member)

Decision

1. The Tribunal unanimously determined that the respondent has complied with the PFEO dated 18 October 2021, and accordingly the Tribunal determined to issue a Certificate of Completion in confirmation that compliance had been achieved.

Reasons for Decision

2. Following the Tribunal's primary decision dated 23 September 2021, a PFEO dated 18 October 2021 was issued in the following terms:-

“Within 14 days of the date of service of this PFEO the respondent must issue an apology to the applicant and pay her the sum of £450 for breaching the Code.”

3. Both parties have confirmed to the Tribunal that the respondent has complied with the PFEO. The respondent has produced documentary evidence to support this which comprises of a copy of the apology email sent to the

applicant on 8 October 2021, together with a Santander bank transfer receipt in respect of the money sent to the applicant on 10 October 2021.

4. The Tribunal was satisfied on the basis of the documentary evidence produced by the respondent, found to be credible and reliable, that full compliance had been evidenced. The Tribunal dispensed with the need for any further hearing or submissions from either of the parties. Accordingly, the Tribunal resolved that the Certificate of Compliance should be issued.

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.

Legal Member [REDACTED]

Date: 30 November 2021