



**Decision and Certificate of Compliance with Property Factor Enforcement Order
in terms of Section 20 of the Property Factors (Scotland) Act 2011**

Chamber Ref: FTS/HPC/PF/23/4235

Re: Property at 25 Waterfront Avenue, Edinburgh, EH5 1RT (“the Property”)

Parties:

Mr Daniel Castro, 25 Waterfront Avenue, Edinburgh, EH5 1RT (“the Homeowner”)

Residential Management Group Scotland Limited, Unit 6, 95 Morrison Street, Glasgow (“the Property Factor”)

Tribunal Members:

Fiona Watson (Legal Member)

Frances Wood (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) having determined that the Property Factor has complied with the Property Factor Enforcement Order (“PFEO”) dated 3 November 2024, certifies that the Property Factor has complied with the PFEO.

The Tribunal issued a decision and PFEO dated 3 November 2024 in terms of which the Property Factor was required to:

- (i) make reasonable payment to the Homeowner to compensate them for inconvenience, frustration and time spent. There being no direct evidence of financial loss, the Tribunal considers that a sum of £250.00 is reasonable in all the circumstances;

- (ii) refund all erroneous charges issued to the Homeowner, and to all other homeowners in Waterfront Avenue, insofar as they relate to roof repairs/cleaning to the townhouse roofs in Upper Strand Walk.
- (iii) Amend and reissue all outstanding invoices to remove all erroneous charges issued to the Homeowner, and to all other homeowners in Waterfront Avenue, insofar as they relate to roof repairs/cleaning to the townhouse roofs in Upper Strand Walk

and the Property Factor must do so within 14 days of the date of the Order and provide evidence to the Tribunal that it has done so.

On 12 December 2024 the Tribunal received written confirmation from the Homeowner that to the best of their knowledge, the Property Factor had complied with the PFEO.

On the basis of the evidence before it, the Tribunal is satisfied that the Property Factor has complied with the terms of the PFEO. It therefore issues this Certificate of Compliance.

Right of Appeal

In terms of Section 46 of the Tribunal (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.

Fiona Watson

Legal Member/Chair

Date: 21 January 2025