

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Proposed Property Factor Enforcement Order following a Decision under Section 17 of the Act.

Reference number:

FTS/HPC/PF/23/1193 and FTS/HPC/PF/23/1875 together referred to as "the Applications".

Re: Flat 0/2, 453, Tantallon Road, Glasgow, G41 3BX ("the Property")

The Parties:

Mr. Kashif Naeem, residing at 223, Auldhouse Road, Glasgow G43 1DF ("the Homeowner")

and

Walker Sandford Property Management, having a place of business at St. George Buildings, St Vincent Place, Glasgow G1 2DH ("the Property Factor")

Tribunal Members

Karen Moore (Chairperson) and Elizabeth Dickson (Ordinary Member)

Background

Having determined by Decision dated 19 November 2024 that the Property Factor had failed to comply with the Section 14 duty in terms of the Act in respect of Application FTS/HPC/PF/23/1193 and had failed to comply with the Property Factor's Duties in respect of both Applications and having determined to issue a Property Factor Enforcement Order ("PFEO"), the Tribunal gives Notice in accordance with Section 19(2)(a) of the Act that the Tribunal proposed the following PFEO and invites the Parties to make representations no later than 18 December 2024:-

Proposed PFEO:

No later than [4 weeks from date of PFEO] the Property Factor must at its own cost and expense compensate the Homeowner on behalf of himself and his co-owner with the total sum of £200.00.

Appeal

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.

Karen Moore,

Chairperson

19 November 2024