

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) issued under section 31 of the First-tier Tribunal for Scotland Housing and Property Chamber Procedure Regulations 2017.

CERTIFICATE OF COMPLIANCE with the PROPERTY FACTOR ENFORCEMENT ORDER DATED 12th January 2023 ('The PFEO')

Chamber Ref: FTS/HPC/PF/21/3177; FTS/HPC/PF/22/0285; FTS/HPC/PF/22/0287;
FTS/HPC/PF/22/0288; FTS/HPC/PF/22/0295; FTS/HPC/PF/22/0296;
FTS/HPC/PF/22/0297; FTS/HPC/PF/22/0298; FTS/HPC/PF/22/0299;
FTS/HPC/PF/22/0300; FTS/HPC/PF/22/0301; FTS/HPC/PF/22/0302

Shaw Court, Broomhill Gardens, Newton Mearns, Glasgow, G77 5HP ('the Property')

The Parties:

Chamber Ref	Property Address	Homeowner(s)
FTS/HPC/PF/21/3177	37 Shaw Court	James Hind
FTS/HPC/PF/22/0285	7 Shaw Court	John Wilson
FTS/HPC/PF/22/0287	8 Shaw Court	Alan Steven
FTS/HPC/PF/22/0288	4 Shaw Court	Irene Fisher
FTS/HPC/PF/22/0295	10 Shaw Court	James McIvor
FTS/HPC/PF/22/0296	21 Shaw Court	Carolynn Malone
FTS/HPC/PF/22/0297	39 Shaw Court	Dorothy Ockrim
FTS/HPC/PF/22/0298	45 Shaw Court	Beryl Craig
FTS/HPC/PF/22/0299	29 Shaw Court	Joyce Frew
FTS/HPC/PF/22/0300	47 Shaw Court	John Boyd
FTS/HPC/PF/22/0301	35 Shaw Court	Helen Young
FTS/HPC/PF/22/0295	49 Shaw Court	James Maxwell

('the Homeowners')

Mrs Beryl Craig and James Hind ('The Homeowner's Representatives')

Bield Housing and Care ('the Factor')

Tribunal members:

Jacqui Taylor (Chairperson) and John Blackwood (Ordinary Member).

Decision of the Tribunal

The Tribunal having determined that the PFEO relating to the Property has been complied with, certifies that the Factor has complied with the PFEO.

Reasons for the Decision

1. The Tribunal issued the **PFEO** in the following terms:

'The Factor must pay each of the Homeowner Applicants £300 for the inconvenience they have suffered from their own funds and at no cost to the owners. The said sums to be paid within 28 days of the communication to the Factor of the Property Factor Enforcement Order.'

2. The Factor's representative David MacInnes sent the Tribunal Administration an email dated 17th February 2023 which confirmed that the required sum of £3600 had been paid to the new property factor, as requested by the homeowners, on 27th January 2023 and the PFEO had been complied with.

3. The Homeowner's Representative James Hind confirmed that he was satisfied that the terms of the PFEO had been satisfied by email to the Tribunal Administration dated 20th February 2023.

4. The Tribunal were satisfied that the Factor has complied with the PFEO. The Tribunal therefore issues this Certificate of Compliance. No further action is required by the Factor in terms of the PFEO.

Right of 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.

Signed.....Date 20th March 2023
Chairperson