

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision and Certificate of Compliance following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 17(1) of the Property Factors (Scotland) Act 2011.

Chamber Ref: FTS/HPC/PF/21/0183
FTS/HPC/LM/21/0786

Re: Property at House G Eastwood Court, 2B Crosslees Drive, Thornliebank, G46 7RS (“the First Property”) and

Property at House 4 D Crosslees Court, Crosslees Drive, Thornliebank, Glasgow G46 7RT (“the Second Property”)

The Parties:

Mr Adam Moad, 48 Glenmill Avenue, Darnley, Glasgow, G53 7XF (“the First Applicant” and “Mr Moad”)

Ms Maureen McAlpine, 32 Orchard Drive, Glasgow G46 7NU (“the Second Applicant” and “Ms McAlpine”)

East Renfrewshire Council, Housing Services, 211 Main Street, Barrhead, East Renfrewshire, G78 1SY (“the Respondent”)

Tribunal Members:

**Martin McAllister (Legal Member)
Helen Barclay (Ordinary Member)**

Certificate of Compliance with Property Factor Enforcement Order made on 1st November 2021.

The tribunal determines that the said Property Factor Enforcement Order has been complied with.

Terms of the Property Factor Enforcement Order (PFEO):

**The Respondent is to pay the sum of £2,500 to each of the applicants. Payment is to be effected by the Respondent reducing the sum due by each applicant in respect of the current contract for the repair and partial reconstruction of the common wall at Crosslees Drive, Thornliebank, Glasgow.
in connection with a contract for construction of a common wall.**

Reasons for Decision

1. On 21st January 2022, Mr Moad emailed the Tribunal and intimated that the PFEO had been complied with.
2. On 21st January 2022, Ms McAlpine emailed the Tribunal and intimated that the PFEO had been complied with.
3. On 20th and 22nd January 2022, the Respondent emailed the Tribunal and intimated that the PFEO had been complied with and provided copy of documents vouching same.
4. The members of the Tribunal considered matters and determined that the PFEO had been complied with as they were satisfied with the terms of the emails from the Homeowners and the Respondent.

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.

Martin J. McAllister
Legal Member
9th February 2022

