

Housing and Property Chamber

First-tier Tribunal for Scotland



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/23/1912

Re: Property at 204 Rosemount Place Aberdeen AB25 2XQ (“the Property”)

Parties:

Hydro-Data Limited (Company number SC097776) Unit 3 Barry Business Centre, Main Street, Barry, Carnoustie, Angus, Scotland, DD7 7RP (represented by Mr Richard Rogers) (“the Applicant”)

Newton Property Management Limited, 87 Port Dundas Road, Glasgow G4 0HF (“the Respondent”)

Tribunal Members:

Jim Bauld (Legal Member)

Melanie Booth (Ordinary (Surveyor) Member)

Decision of the Tribunal

The Tribunal having determined that the Property Factor Enforcement Order (PFO) relating to the property which was dated 8 March 2024 has been complied with hereby certifies that the respondent has complied with the PFO.

Reasons for Decision

1. By decision dated 8 January 2024 the Tribunal determined that the respondent had failed to comply with certain duties arising from the Property Factors Code of Conduct (“the Code”). The Tribunal subsequently issued a Property Factor Enforcement Order dated 8 March 2024 which required the respondent to pay to the Applicant the sum of FIVE HUNDRED POUNDS (£500.00) and to provide a

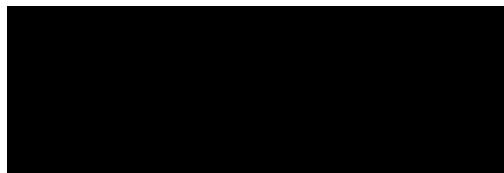
copy of its Written Statement of Services to the applicant within a period of fourteen day of the issue of the order

2. Subsequent to the issue of the Order, the Tribunal received correspondence from the respondent and the applicant confirming that the actions required in terms of the PFEO had been carried out.
3. Accordingly, the Tribunal is satisfied that the respondent has complied with the terms of the PFEO and have decided to issue this certificate of compliance. No further action is therefore required by the respondent in terms of the PFEO which may now be deemed to be completed.

Rights of Appeal

4. 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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.



26 June 2024

James Bauld, Chairperson

Date