Housing and Property Chamber
First-tier Tribunal for Scotland

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

Proposed Property Factor Enforcement Order: Section 19(2)(a) of the Property Factors (Scotland) Act 2011 ("the Act")

Chamber Ref: FTS/HPC/PF/22/2897

Re: Property at 2F Cogan Place, Barrhead, Glasgow G78 1QZ ("the Property")

Parties:

Mrs Sylvia Ferguson, 2F Cogan Place, Barrhead, Glasgow G78 1QZ ("the Homeowner")

Lorimer Stevenson, A CoVault, 1 Redwood Crescent, Glasgow G74 5PA ("the Property Factor")

Tribunal Members:

Neil Kinnear (Legal Member) and Mike Scott (Ordinary Member)

DECISION

[1] This document should be read in conjunction with the Tribunal's Decision under Section 19(1)(a) of the Act of the same date.

[2] The Tribunal proposes to make the following Property Factor Enforcement Order ("PFEO").

[3] Within 28 days of intimation of the PFEO, the Property Factor must make payment to the Homeowner of the sum of £300.00 in compensation, and credit the Homeowner's account with the sum of £158.50, in respect of the Property Factor's failure to carry out its property factor duties in terms of section 17(1) of the *Property Factors (Scotland) Act 2011* and its failure to comply with sections 2.1, 2.7, 3.1 and 7.2 of the Code of Conduct for Property Factors as required by section 14(5) of the *Property Factors (Scotland) Act 2011*.

[4] The intimation of the Tribunal's decision and this notice of proposal to make a PFEO should be taken as notice for the purposes of section 19(2)(a) of the Act and parties

are hereby given notice that they should ensure that any written representations which they wish to make under section 19(2)(b) of the Act reach the Tribunal by no later than 14 days after the date that the Decision and this notice is intimated to them. If no representations are received within that timescale, then the Tribunal is likely to proceed to make a PFEO without seeking further representations from the parties.

[5] Failure to comply with a PFEO may have serious consequences and may constitute an offence.

27/03/2023

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Legal Member   **Date**