

Housing and Property Chamber

First-tier Tribunal for Scotland



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

**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/LM/18/1725

**Flat 1/1 10 Andrews Street, Paisley PA3 2EP
("The Property")**

The Parties:-

**Mr Dave Sinclair, Flat 1/1 10 Andrews Street, Paisley PA3 2EP
("the Homeowner")**

**Link Group Limited, Watling House, Callendar Business Park, Falkirk
FK1 1XR
("the Factor")**

Tribunal Members

**Graham Harding (Legal Member)
Carol Jones (Ordinary Member)**

Decision

The Tribunal has determined that the Factor has complied in full with the terms of the Property Factor Enforcement Order ("PFEQ") issued on 24 April 2019 therefore no further action is required.

The decision is unanimous.

Statement of Reasons

1. By its decision date 30 March 2019 following a review of its earlier decision of 14 November 2018, the Tribunal determined that the Factor had failed to carry out its property factor's duties.
2. The Tribunal issued a Notice of Proposed PFEQ together with its amended decision on 30 March 2019 and invited representations within 14 days of the Notice being received by the parties.
3. No representations were received and the Tribunal issued a PFEQ on 24 April 2019.

4. By email received on 9 May 2019 the Factor advised the Tribunal that the terms of the PFEO had been complied with and payment had been made to the Homeowner.
5. By email dated 5 June 2019 the Homeowner confirmed that the actions required by the PFEO had been completed.
6. The Tribunal having considered matters and being satisfied that the PFEO has been complied with by the Factor has determined that no further action is required.

Right of Appeal

7. 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 within 30 days of the date the decision was sent to them.

G Harding

Legal Member and Chairperson

12 June 2019