

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 10th April 2019 ('The PFEO')

Chamber Ref:FTS/HPC/PF/18/3190

Flat 8, 112 Hillpark Grove, Edinburgh, EH4 7EF ('the Property')

The Parties:

Michael Sturgeon residing at flat 8, 112 Hillpark Grove, Edinburgh, EH4 7EF ('The Homeowner')

Charles White Limited, City Point, 65 Haymarket Terrace, Edinburgh, EH12 5HD ('the Factor')

Tribunal members:

Jacqui Taylor (Chairperson) and Carol Jones (Ordinary Member).

Decision of the Tribunal

The Tribunal having determined that the PFEO dated 10th April 2019 ('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:

'1. Charles White Limited are directed to pay the Homeowner £250 as compensation from their own funds and at no cost to the owners. The said sum to be paid by 30th April 2019.

2. Charles White Limited are directed to provide the Tribunal with evidence that the said sum has been paid within seven days of the payment being remitted to the Homeowner.

These will also be reported on a weekly basis at a CWL senior team meeting to discuss further requirements for support to enable the Client Relationship Manager to respond.

This procedure works in conjunction with the CWL complaints process.¹

6. 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.....
Chairperson

.....Date 17th June 2019

Jacqueline Taylor