

Housing and Property Chamber

First-tier Tribunal for Scotland



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

PROPOSED PROPERTY FACTOR ENFORCEMENT ORDER under section 19 of the Property Factors (Scotland) Act 2011 ("the Act")

Reference number: FTS/HPC/PF/19/1747 ("the Application")

Re: Flatted Property at 173C, Greenrigg Road, Cumbernauld, Glasgow, G67 2QD ("the Property")

The Parties:

Mrs. Zainab Kamara, residing 4, Upton Close, Bexley, Kent, DA5 1HJ ("the Applicant"), and

Apex Property Factor Limited having a place of business at 46, Eastside, Kirkintilloch, East Dunbartonshire, G66 12H ("the Factor")

Tribunal Members

Karen Moore (Legal Member)

Mike Links (Ordinary Member)

Background

Having determined by Decision dated 23 October 2019 to issue a Property Factor Enforcement Order ("PFEO"), the Tribunal hereby gives Notice in terms of Section 19(2) of the Act that it proposes to make the following, PFEO:-

1. No later than [14 days after the date hereof] the Factor shall pay to the Applicant the sum of £1, 500.00 to compensate her in respect of the effect of its conduct and in respect of inconvenience caused to her by its failures and confirm to the Tribunal that it has done so;
2. No later than [14 days after the date hereof] the Factor shall issue to the Applicant and copy to the Tribunal, evidence of the common building insurance policies, if any, for the Property which has been in place from March 2015 to 11 April 2019 and that to detail the basis upon which the Applicant's share of the insurance premium is

calculated, the sum insured, the premium paid, any excesses which apply, the name of the company providing insurance cover and the terms of the policy and

3. In the event that the Factor cannot or does not comply with paragraph 2 above, no later than [21 days after the date hereof] the Factor shall refund to the Applicant all of the insurance premiums paid by her to it and confirm to the Tribunal that it has done so.

Karen Moore

Chairperson

31 October 2019