

Housing and Property Chamber

First-tier Tribunal for Scotland



Certificate of Compliance with Property Factor Enforcement Order in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Chamber Ref: FTS/HPC/PF/23/4521.

Property: Flat 1/2, 2 Seres Court, Clarkston, Glasgow G76 7PL (“the Property”)

The Parties:-

Sir Adrian Shinwell and Lady Lesley Shinwell, Flat 1/2, 2 Seres Court, Clarkston, Glasgow G76 7PL (“the homeowners”)

Charles White Limited, registered in Scotland (SC212674) and having their Registered Office at 14 New Mart Road, Edinburgh EH14 1RL (“the property factors”)

Tribunal Members:

Mr George Clark (Legal Member/Chairman) and Mrs Frances Wood (Ordinary Member)

Decision of the Tribunal

The Tribunal determined that the property factors have complied with the terms of the Property Factor Enforcement Order made on 6 October 2025.

Reasons for Decision

Following a Decision, made on 24 January 2025, the Tribunal made a Property Factor Enforcement Order (“PFEО”) requiring the property factors to pay to the homeowner the sum of £250 by way of compensation for the property factors’ failure to comply with OSP2, OSP6 and Section 2.7 of the Property Factor Code of Conduct effective from 16 August 2021 and their failure to comply with the property factor’s duties.

An appeal by the homeowners against the Tribunal’s Decision was refused.

The PFEО was made on 6 October 2025 (but was *per incuriam* dated 6 October 2024) and sent to the Parties.

On 8 October 2025, the property factors provided evidence that they had sent a cheque for £250 to the homeowners and on 10 October 2025, the homeowners advised the Tribunal that they had received it.

The Tribunal decided, therefore, that the property factors have complied with the PFEO.

The Tribunal's Decision was unanimous.

Right of Appeal

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

Dated: 6 November 2025

Chairperson