

Housing and Property Chamber

First-tier Tribunal for Scotland



**Decision of the First-tier Tribunal for Scotland Housing and Property Chamber
In an Application under section 17 of the Property Factors (Scotland) Act 2011**

by

Robin Lovat, 1008 Pollokshaws Road, Glasgow G41 2HG ("the Applicant")

**Macfie & Co Management Services Ltd, 5 Cathkinview Road, Glasgow G42 9EA
("the Respondent")**

Reference No: FTS/HPC/PF/18/1743

**Re: Property at 1/2, 73 Old Castle Road, Glasgow G44 5TG
("the Property")**

Tribunal Members:

John McHugh (Chairman) and Robert Buchan (Ordinary (Surveyor) Member).

DECISION

The Tribunal decides that the Property Factor Enforcement Order has been complied with.

The decision is unanimous.

REASONS FOR DECISION

On 23 January 2019 the Tribunal made the following Property Factor Enforcement Order ("PFEO"):

"Within 40 days of the date of the communication to the Respondent of this property factor enforcement order, the Respondent must:

- 1 *Pay to the Applicant the sum of £150, such payment to be by way of a cheque made payable to the Applicant as opposed to a credit to his account.*
- 2 *Confirm in writing to the office of the Tribunal that step 1 above has been carried out."*

In terms of section 23(1) of the Property Factors (Scotland) Act 2011, the Tribunal is to determine whether the Respondent has complied with the PFEO.

Representations have been received from both parties confirming that the payment of £150 required by the PFEO has been made. We accordingly find that the PFEO has been complied with.

APPEALS

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.

JOHN M MCHUGH

CHAIRMAN

DATE: 14 March 2019