

Housing and Property Chamber
First-tier Tribunal for Scotland



Notice of Property Factor Enforcement Order made under Section 19(3) of the Property Factors (Scotland) Act 2011 as amended (“the 2011 Act”) following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) (the tribunal) in an application under Section 17(1) of the 2011 Act.

Reference number: FTS/HPC/PF/23/3112

Re: 38 Davie Sneddon Way, Kilmarnock, KA1 1AD (“the Property”)

The Parties:

Miss Nicola Wilson, 38 Davie Sneddon Way, Kilmarnock, KA1 1AD (“the Applicant”)

Indigo Square Property Ltd, 42 Holmlea Road, Glasgow, G44 4AL (“the Respondent”)

Tribunal Members:

Martin J. McAllister, Solicitor, (Legal Member)

Elizabeth Dickson, (Ordinary Member)

(the “tribunal”)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) considered matters and makes a property factor enforcement order (“PFEO”) in the following terms:

The Tribunal requires the Respondent to pay the sum of ONE THOUSAND FIVE HUNDRED POUNDS (£1500) to the Homeowner within thirty days of the service on it of the PFEO in terms of Section 19 (3) of the 2011 Act.

This document should be read in conjunction with the tribunal’s Decision of the same date under Section 19(3) of the 2011 Act.

Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.

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.

Martin J. McAllister
Legal Member
5 February 2025