

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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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 2016.

### **CERTIFICATE OF COMPLIANCE with the PROPERTY FACTOR ENFORCEMENT ORDER DATED 21<sup>st</sup> September 2018 ('The PFEO')**

**Chamber Ref:FTS/HPC/PF/18/0185**

**Flat 2/01, Anchor Mill, 7 Thread Street, Paisley, PA1 1JR ('the Property')**

#### **The Parties:**

**Dr John-Paul O'Sullivan, Flat 2/01, Anchor Mill, 7 Thread Street, Paisley, PA1 1JR ('the Homeowner')**

**Ross and Liddell, 60 St Enoch Square, Glasgow, G1 4AW ('the Factor')**

#### **Tribunal members:**

**Jacqui Taylor (Chairperson) and Elizabeth Dickson (Ordinary Member).**

#### **Decision of the Tribunal**

The Tribunal having determined that the PFEO dated 21<sup>st</sup> September 2018 ('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:

*'Ross & Liddell Limited are directed to pay the Homeowner £300 as compensation from their own funds and at no cost to the owners. The said sums to be paid within 28 days of the communication to them of the Property Factor Enforcement Order. Ross & Liddell Limited are directed to provide the Tribunal with evidence that the said sums have been paid within seven days of the payment being remitted to the Homeowner'*

2. The Factor's solicitor sent the Tribunal a letter dated 28<sup>th</sup> September 2018 confirming to the Tribunal that the PFEO had been complied with. They enclosed a copy of the letter from the Factor to the Homeowner dated 27<sup>th</sup> September 2018 sending him a cheque for £300.

3. Thereafter the Homeowner sent the Tribunal Administration a copy of his email to the Factor dated 7<sup>th</sup> October 2018 acknowledging receipt of their cheque for £300.

4. 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.**

J Taylor

Signed.....  
Chairperson

.....Date 27<sup>th</sup> December 2018