

# 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 26 of the First-tier Tribunal for Scotland Housing and Property Chamber Procedure Regulations 2017.

### **CERTIFICATE OF COMPLIANCE with the PROPERTY FACTOR ENFORCEMENT ORDER DATED 18<sup>th</sup> October 2017 ('The PFEO')**

**Chamber Ref:HOHP/PF/17/0006**

**4 The Park, Victoria Road, Forres, IV36 3AH ('the Property')**

**The Parties:**

**Elizabeth Bruce and Ricardo Petrocelli ('the Homeowner')**

**James Gibb Residential Factors, 2 Thistle Street, Aberdeen, AB10 1XZ ('the Factor')**

**Committee members:**

**Jacqui Taylor (Chairperson) and Andrew Taylor (Ordinary Member).**

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

The Tribunal having determined that the PFEO dated 18<sup>th</sup> October 2017 relating to the Property has been complied with, certifies that the Factor has complied with the PFEO.

#### **Reasons for the Decision**

1. The PFEO required the Factor to pay the Homeowner £550 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 PFEO. Morgan Cooper, Operations Director of the factor sent an email to the Tribunal dated 26<sup>th</sup> October 2017 confirming that the actions required by the PFEO have been executed. The Homeowner also confirmed by email to the Tribunal dated 22<sup>nd</sup> December 2017 that the terms of the PFEO have been complied with.

2. The Tribunal being satisfied that the Factor has complied with the PFEO issue 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 8<sup>th</sup> January 2018