

# Housing and Property Chamber First-tier Tribunal for Scotland

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**First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”)**

**Certificate of Compliance following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under section 17(1) of the Property Factors (Scotland) Act 2011 (“the Act”) issued under the First-tier Tribunal for Scotland (Housing and Property Chamber) (Procedure) Regulations 2016 (“the regulations”)**

**Chamber Ref: FTS/HPC/PF/17/0530**

**Property at Flat 3, 3 Fairyknowe Court, Bothwell, South Lanarkshire, G71 8SZ (“the Property”)**

**The Parties: -**

**Dr Brian Lynas and Dr Annette Ferri, Flat 3, 3 Fairyknowe Court, Bothwell, South Lanarkshire, G71 8SZ, represented by James Carmichael, solicitor, James M. Carmichael and co, solicitors (“the homeowners”)**

**James Gibb Property Management Ltd, trading as James Gibb Residential Factors, 65 Greendyke Street, Glasgow, G1 5PX (“the property factor”)**

**Tribunal Members: -**

**Simone Sweeney (Legal Member) Carolyn Hirst (Ordinary Member)**

**Certificate of Compliance with Property Factor Enforcement Order (“PFEO”) dated, 23<sup>rd</sup> July 2018 in terms of section 19(3) of the Act.**

1. The PFEO of 23<sup>rd</sup> July 2018 required that:

*“Within 28 days of the communication of the PFEO to the factor, the factor must:*

*(i) Pay compensation to the Homeowners in the sum of £500 (Five hundred pounds) in respect of the time, distress and inconvenience occasioned by the factor’s failure to comply with their duty under the Code.”*

2. Reference is made to the decision of the tribunal of 4<sup>th</sup> February 2019.

3. The tribunal determines that the property factor has complied with the terms of the PFEO of 23<sup>rd</sup> July 2018.

S Sweeney

/Simone Sweeney, Legal Chairing Member, 4<sup>th</sup> February 2019