



Property Factor Enforcement Order proposed to be made in respect of an application under Section 17 of the Property Factors (Scotland) Act 2011 (“the Act”) and issued under the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016

Chamber Ref: FTS/HPC/LM/21/0858

Re: Property at 42 Dykebar Avenue, Knightswood, Glasgow, G13 3HF (“the Property”)

Parties:

Lorraine Gray 42 Dykebar Avenue, Knightswood, G13 3HF (“the Applicant)

Lowther, Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL Respondent (“the respondent”)

Tribunal Members:

Mr Jim Bauld (Legal member)

Mr Robert Buchan (Ordinary Member)

This document should be read in conjunction with the Tribunal’s decision of the same date under section 17 of the Act

The Tribunal proposes to make the following Property Factor Enforcement Order

- The Property Factor is ordered to effect the repairs to or replacement of the boundary fence between the property and the adjacent property at 40 Dykebar Avenue as set out in their letter dated 5 March 2020 and to effect these repairs or replacement at their sole expense without any charge being levied against the applicant and that all such repairs or replacement are completed no later than 30 September 2021
- To refund to the applicant all factoring/management charges levied in all bills remitted to the applicant from 1 February 2020 until the date of this decision, such refund to be effected by direct payment to the applicant of said sums and not by a credit being applied to her account within 28 days of the date of this Decision.
- To make payment of FIVE HUNDRED POUNDS (£500.00) to the Homeowner within 28 days of the date of this Decision.



Review of Tribunal's Decision

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..

Date: 9 July 2021

Legal Member: