

Housing and Property Chamber

First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

**Certificate of Compliance with the Property Factor Enforcement Order (PFEO)
dated 29 January 2018**

Chamber Ref: FTS/HPC/PF/17/0308

8P Glenford Place, Ayr KA7 1LB (“The Property”)

The Parties: -

Mr Eric Armstrong, 8P Glenford Place, Ayr, KA71LB (“the Homeowner”)

**James Gibb Property Management Ltd, 65 Greendyke Street, Glasgow, G1 5PX
 (“the Property Factor”)**

Tribunal Members:

Josephine Bonnar (Legal Member)

Andrew McFarlane (Ordinary Member)

Decision of the Tribunal

The Tribunal having determined that the PFEO dated 29 January 2018 relating to the property has been complied with, certifies that the Property Factor has complied with the PFEO.

Reasons for the decision

The PFEO required the Property Factor to pay compensation to the Homeowner of £100 and to refund the Homeowner the sum of £234.76, being an insurance premium, which had been incorrectly charged. Both payments had to be made within 28 days of intimation of the PFEO. The Property Factor was also ordered to confirm in writing to the office of the Tribunal that the payments had been made, within 7 days of making the payments. On 5 February 2018 the Property Factor sent to the Tribunal documentation relating to the refund of the insurance premium. On 8 February 2018 the Property Factor sent to the Tribunal a copy of email correspondence with the Homeowner relating to payment of the £100 compensation. On 24 March 2018 the Homeowner confirmed to the Tribunal that the actions required in the PFEO had been completed. On the 4 April 2018 the Property Factor confirmed to the Tribunal that the actions required in the PFEO had been completed.

The Tribunal is therefore satisfied that Property Factor has complied with the PFEO and that a certificate of compliance should be issued.

Appeals

A homeowner or property factor aggrieved by a 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.

 Josephine Bonnar
Legal Member

21 April 2018