

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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

**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**

**Chamber Ref: FTS/HPC/PF/22/3616**

**Parties:**

**Mr William McGibbon, Flat 10, 12 Ravelston Terrace, Edinburgh EH4 3TP  
("the Applicant")**

**Hacking & Paterson Residential Management Services, 103 East London Street, Edinburgh EH7 5BF ("the Respondents")**

**Tribunal Member:**

**Graham Harding (Legal Member)  
Andrew Murray (Ordinary Member)**

### **Decision**

The Tribunal has determined that the Factor has complied in full with the terms of the Proposed Property Factor Enforcement Order ("PFEO") issued on 9 January 2024 therefore no further action is required.

The decision is unanimous.

### **Statement of Reasons**

1. By amended decision issued on 9 January 2024, the Tribunal determined that the Factor had failed to comply with its duties under Section 14(5) of the Property Factors (Scotland) Act 2011.
2. The Tribunal issued a Notice of Proposed PFEO together with the decision and invited representations within 14 days of the Notice being received by the parties.
3. By email dated 13 February 2024 the Applicant advised the Tribunal that the Respondents had complied with the terms of the proposed PFEO.

4. The Tribunal having considered matters and being satisfied that the proposed PFEO has been complied with by the Respondents has determined that no further action is required.

### **Right of Appeal**

5. 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 within 30 days of the date the decision was sent to them.

Legal Member and Chairperson

15 February 2024