

Housing and Property Chamber

First-tier Tribunal for Scotland



Certificate of Compliance with Property Factor Enforcement Order in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Chamber Ref: FTS/HPC/PF/25/1800 & FTS/HPC/PF/25/1801

Re: Property at Flat 1/1, 36 Budhill Avenue, Glasgow G32 0PN (“the Property”)

Parties:

Mr Scott Miller, Flat 1/1, 36 Budhill Avenue, Glasgow G32 0PN (“the homeowner”)

James Gibb Residential Factors, a trading name of James Gibb Property Management Limited, incorporated in Scotland (SC299465) and having their registered office at 3rd Floor, Red Tree Magenta, 270 Glasgow Road, Rutherglen, Glasgow G73 1UZ (“the property factors”)

Tribunal Members:

George Clark (Legal Member) and Nick Allan (Ordinary Member)

Decision of the Tribunal

The Tribunal determined that the property factors have complied with the terms of the Property Factor Enforcement Order made on 16 February 2026.

Reasons for Decision

Following a Decision, made after a Case Management Discussion held on 4 December 2025, which was not appealed by either Party, the Tribunal made a Property Factor Enforcement Order (“PFEO”) requiring the property factors to pay to the homeowner the sum £250 by way of compensation for the property factors’ failure to comply with OSP11 of the Property factors Code of Practice effective 16 August 2021 and their failure to comply with the Property Factor’s Duties.

The PFEO was made on 16 February 2026 and sent to the Parties.

On 16 March 2026, the property factors advised the Tribunal that they had credited the sum of £250 to the homeowner’s common charges account and had written to him confirming this had been done,

The Tribunal decided, therefore, that the property factors have complied with the PFEO.

The Tribunal's Decision was unanimous.

Right of Appeal

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.

George Clark

Signed

Dated: 15 April 2026

Chairperson