



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 17 (1) of the Property Factors (Scotland) Act 2011 (“The Act”)**

**Reference number: FTS/HPC/PF/24/0904**

**Re: Property at 1/1 181 Deanston Drive, Glasgow, G41 3JZ (“the Property”)**

**The Parties:**

**Ms Muniba Malik, 1/1 181 Deanston Drive, Glasgow, G41 3JZ (“the Applicant”)**

**Cumming, Turner and Watt, 40 Carlton Place, Glasgow, G5 9TS (“the Respondent”)**

**Tribunal Members.**

**Legal Member: Mr A McLaughlin**

**Ordinary Member: Mr R Buchan**

[1] WHEREAS in terms of their decision dated 5 February 2026, The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) made a Property Factor Enforcement Order, The Tribunal, having considered the representations from the Applicant, finds that the Property Factor Enforcement Order has not been complied with in full.

[2] The Terms of the Property Factor Enforcement Order made were as follows. The Respondent was to:

- 1. Issue a written apology to the Applicant for their breaches of the Code.*
- 2. Provide the Tribunal with evidence of having undertaken firm wide training on how it will try and avoid these issues happening again and how procedures have been improved, and*
- 3. Make a monetary payment of £5,000.00 to the Applicant as compensation. The payment should be by way of a direct payment to the Applicant rather than by way of a credit to the Applicant’s account.*

*This should be complied with within 30 days of the date of this decision*

[3] While the Applicant has explained that the Respondent has made the monetary payment referred to in part three of the order, they have failed to apologise as ordered by part one and not complied with part two of the order.

[4] The Respondent has submitted no representations to suggest that the Applicant's submissions are not well founded. Nothing further has been received by the Tribunal from the Respondent to demonstrate compliance with part two of the order.

[5] The Tribunal therefore confirms that the Respondent has not complied with parts one and two of the Property Factor Enforcement Order.

### **Right of Appeal**

**In terms of Section 46 of the Tribunal (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.**

**Andrew McLaughlin  
Legal Member/Chair  
21 April 2026**