

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under section 17(2) of the Property Factors (Scotland) Act 2011 (“the 2011 Act”)

Chamber Ref: FTS /HPC/PF/23/1336

Re: Property at Flat 3/1, 8 Claremont Street, Glasgow G3 7HA (“the Property”)

Parties:

Mr. Mark Glancy, 3/1 8 Claremont Street, Glasgow, G3 7HA (“the Applicant”)

Glasgow West Enterprises Ltd, 5 Royal Crescent, Glasgow, G3 7SL (“the Respondent”)

Tribunal Members: Mrs Aileen Devanny (Chamber President) and Mr Nick Allan (Ordinary Member)

Decision

The Tribunal, having determined that the Property Factor Enforcement Order dated 20 May 2026 has been complied with, hereby certifies that the Respondent has complied with the PFEO.

Reasons for the Decision

1. In the Tribunal’s decision of 7 July 2025, it proposed to make a PFEO as follows- “The Property Factor is required to refund to the Applicant any management charges paid by him and not refunded already for the period from June 2022 to January 2023. This sum is to be paid with 28 days of communication of the Property Factor Enforcement Order”.

2.The Tribunal indicated that prior to making a PFEO it would give the parties a period of fourteen within which to make representations under section 19(2) (b) of the Act. The decision was issued to parties on 8 July 2025.

3.No representations were received regarding the nature of the order in terms of section 19(2)(b) of the Act.

4.The Tribunal confirmed its decision in terms of section 19(1)(a) of the Act and made the following PFEO:

“The Property Factor is required to refund to the Applicant any management charges paid by him and not refunded already for the period from June 2022 to January 2023. This sum is to be paid with 28 days of communication of the Property Factor Enforcement Order (sum has already been paid)”

The PFEO noted that prior to the issue of the Order it was understood that the Applicant had refunded the management fees referred to in the order.

5. Following the issue of the PFEO dated 20 May 2026, the Applicant and Respondent were asked for representations on compliance with the PFEO. The Applicant indicated that he has left the property and he did not challenge the refund of the management charges specified in the PFEO. The Respondent confirmed compliance with PFEO and provided evidence of payment to the Applicant of the refunded management charges.

The Tribunal is satisfied that the PFEO has now been complied with by the Respondent. The decision of the Tribunal is unanimous.

Right of appeal

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.

Mrs Aileen Devanny
Chamber President
14 July 2026