

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision by the Tribunal

**In an Application under section 17 of the Property Factors (Scotland) Act 2011
George Svachulay, Flat 29, 32 Peffer Bank, Edinburgh EH16 4FG ("the
Applicant")**

**Ethical Maintenance CIC, 239 Castle House, 1 Baker Street, Stirling KK8 1AL
("the Respondent")**

Re: Flat 29, 32 Peffer Bank, Edinburgh EH16 4FG ("the Property")

Chamber Ref: FTS/HPC/PF/24/5860

Tribunal Members:

John McHugh (Chairman) and Nick Allan (Ordinary (Surveyor) Member).

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the
Tribunal") makes the following Property Factor Enforcement Order ("PFEO"):**

**Within 31 days of the date of the communication to the Respondent of this
property factor enforcement order, the Respondent must:**

- 1 Credit to the Applicant's factoring account the sum of £100.**
- 2 Confirm in writing to the office of the Tribunal that step 1 has been
carried out.**

Reasons for Decision

The Tribunal issued its Decision on 1 June 2026 that the Respondent had failed in its property factor's duties ("the Decision"). A proposed Property Factor Enforcement Order accompanied the Decision and parties were provided with the opportunity to make representations on the terms of the Proposed PFEO. The Applicant has made no comment. The Respondent has confirmed its acceptance of the terms of the Proposed PFEO and that it has in fact made the payment required.

The Tribunal therefore now makes a PFEO in the same terms as the Proposed PFEO. Given that the Respondent advises that it has already complied, the Tribunal will ask the Applicant to confirm his agreement.

Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.

Appeals

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.

Signed

Date 13 July 2026

JOHN M MCHUGH

Chairing Member