



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

PROPERTY FACTOR ENFORCEMENT ORDER

Chamber Reference number: FTS/HPC/PF/24/4653

Re: Property at Flat B5, 69 Kent Road, Glasgow, G3 7EG (“the Property”)

The Parties:

Miss Elizabeth Todd, Flat B5, 69 Kent Road, Glasgow, G3 7EG (“the Applicant”)

**Newton Property Management limited, 87 Port Dundas Road, Glasgow, G4 0HF
 (“the Respondent”)**

Tribunal Members: Ruth O’Hare, Legal Member and Carol Jones, Ordinary
Member

NOTICE TO THE PARTIES

- 1 The Tribunal, having made such enquiries as it saw fit for the purposes of determining whether the Respondent has complied with the Code of Conduct for Property Factors, in terms of the Property Factors (Scotland) Act 2011 (“the Act”) determined that the Respondent had failed to comply with sections 2.1, 2.4, 2.7, 6.1, 6.4, 6.6, 6.12 and 7.1 of the Code of Conduct for Property Factors 2021, all as stated in their decision dated 26 May 2026.
- 2 The Tribunal intimated to the parties, in terms of their said decision dated 26 May 2026, that they proposed to make a Property Factor Enforcement Order (“PFEO”) requiring the Respondent to pay the Applicant the sum of £1500 and make a formal written apology. The parties were given notice that they should ensure that any written representations they wish to make under section 19(2)(b) of the Act reach the Housing and Property Chamber’s office by no later than 14 days after the date that the Decision and the notice of the proposed PFEO was intimated to them.
- 3 The Decision and Notice of the proposed PFEO was intimated to the parties on 1 June 2026. The deadline for written representations was therefore 15 June 2026.

- 4 On 1 June 2026 the Tribunal received written representations from the Applicant confirming her agreement with the decision. No written representations were received from the Respondent.
- 5 The Tribunal is therefore satisfied that it has given both parties the opportunity to make written representations in relation to the proposed PFEO.
- 6 Consequently, the Tribunal makes the following Property Factor Enforcement Order: -
 - (1) In respect of its breaches of the Code, and the stress and inconvenience caused to the Applicant, the Respondent must pay to the Applicant the sum of £1500 from its own funds into the Applicant's bank account within 28 days of intimation of the final PFEO. For the avoidance of doubt, the sum should be paid in full to the Applicant and not offset against any outstanding factoring charges.
 - (2) That the Respondent must provide the Applicant with a formal written apology in respect of its breaches of the Code, within 28 days of intimation of the final PFEO.

Failure to comply with a PFEO may have serious consequences and 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.

Ruth O'Hare – Chairperson of the Tribunal

24 June 2026