

**First-tier Tribunal for Scotland (Housing and Property Chamber)**  
**Property Factor Enforcement Order ("PFEO"): Property Factors (Scotland) Act 2011**  
**("The Act") Section 19(2)**

**Reference number: FTS/HPC/LM/24/3018**

**Re: Property at Balgello Heights Development, Linlathen Road, Broughty Ferry, Dundee, DD5 3GL ("the Property")**

**The Parties:**

**Mr Ross Hunter, 7 Ben Attow Lane, Broughty Ferry, Dundee, DD5 3FS ("the Applicant")**

**James Gibb Residential Factors, Suite 1B, 26-28 Merchant Exchange, Exchange Street, Aberdeen, AB11 6PH ("the Respondent")**

**Tribunal Members:**

**Andrew McLaughlin (Legal Member) and Helen Barclay (Ordinary Member)**

[1] On 11 May 2026, The Tribunal made a Proposed Property Factor Enforcement Order in the above Application in the following terms:

*"The Respondent is to take the following action:*

- 1. The Respondent should write to the Applicant and apologise for breaching their obligations under the Code.*
- 2. The Respondent should make a monetary payment of £500.00 to the Applicant as compensation for his monetary losses and inconvenience. 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.*
- 3. The Respondent should also provide the Applicant with the information he is looking for-information about how changes to the land and ground maintenance costs were calculated and up-to-date copies of contracts with grounds maintenance contractors showing the ongoing liability for costs and services provided.*

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

[2] The Respondent has submitted representations stating that they have complied with the above order albeit they have tried to comply with part 3 to the best of their abilities. The Applicant did not submit any representations.

[3] The Tribunal therefore declines to make a Property Factor Enforcement Order beyond the terms of the proposed order already made as per Section 21 (1) (b) of the Act. This is because the order is no longer necessary.

**Mr A. McLaughlin**  
**Legal Member and Chair**  
**8 July 2026**