

Housing and Property Chamber

First-tier Tribunal for Scotland



Property Factor Enforcement Order made under Section 19(3) of the Property Factors (Scotland) Act 2011 as amended (“the 2011 Act”) following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) (the tribunal) in an application under Section 17(1) of the 2011 Act.

Reference number: FTS/HPC/PF/25/2804

Mr Mark Brankin (“the Applicant”)

**Mrs Cheryl Brankin
 (“the Applicant’s Representative”)**

**Newton Property Management Limited
 (“the Respondent”)**

Tribunal Members:

Martin J. McAllister, Solicitor, (Legal Member)

**Peter McEachran, Chartered Surveyor, (Ordinary Member)
 (the “tribunal”)**

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) considered matters and proposed that a property factor enforcement order (“PFEO”) should be made.

This document should be read in conjunction with the tribunal’s Decision of the same date under Section 19(1) (a) of the 2011 Act.

The tribunal proposes to make the following Property Factor Enforcement Order (“PFEO”):

The Respondent will provide an undertaking that it will communicate effectively with the Applicant in relation to the programme of works to be carried out on the tenement building at 18 King Street, Aberdeen, AB24 5AX, and ensure that regular updates with regard to progress of any grant application(s) and interaction with contractors engaged in the repairs. The Respondent will also provide an undertaking that it will do all within its power to ensure that the said works are progressed in an efficient and proper manner. The undertakings will require to be provided within fifteen days of the service of this document.

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

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.

Martin J. McAllister
Legal Member
27 July 2026