

# Housing and Property Chamber First-tier Tribunal for Scotland



**PROPERTY FACTOR ENFORCEMENT ORDER**  
**issued by the First-tier Tribunal for Scotland (Housing and Property Chamber)**  
**Under section 19(3) of the Property Factors (Scotland) Act 2011**

**Chamber ref:HOHP/PF/16/0111**

**Flat 0/1, 50 Garscadden Road, Glasgow, G15 6UL ('the Property')**

**The Parties:**

**Mrs Irene Purdie residing at the Property ('the Homeowner')**

**Be-factored Limited, 2A North Kirklands, Eaglesham Road, Glasgow, G76 0NT ('the Factor')**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (formerly the Homeowner Housing Committee) ('the Tribunal') comprising: Jacqui Taylor (Legal Member) and Jean Thomson (Ordinary Member).**

## **NOTICE TO THE PARTIES**

Whereas in terms of their decision dated 25<sup>th</sup> January 2017, the Tribunal decided that the Factor had failed to comply with sections 2.5 and 3.2 of the Code of Conduct, all as stated in the said decision; The Tribunal sent the parties a notice of their proposed PFEO also dated 25<sup>th</sup> January 2017. As no timeous representations have been received from the parties in relation to the proposed Property Factor Enforcement Order the Committee make the following Property Factor Enforcement Order:

*'Be-factored Limited are directed to remit the sum of £277.18 to the new factor within 14 days of the date hereof and request them to forward this sum to the Homeowner in respect of her share of the retained sums, within 14 days of the said request.'*

*Be-factored Limited are further directed to advise the Tribunal when the said sum of £277.18 has been remitted to the new factor and also to provide the Tribunal with a copy of their letter to the new factor requesting that they forward this sum to the Homeowner.'*

**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.

J Taylor

Signed .

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Chairperson Date: 6<sup>th</sup> March 2017