

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Proposed Property Factor Enforcement Order: Section 19(2)(a) of the Property Factors (Scotland) Act 2011 (“the Act”)

Chamber Ref: FTS/HPC/LM/21/2188

Re: Property at 17 Silverholm Drive, Cleghorn, Lanark ML11 7SY (“the Property”)

Parties:

Mr Derek Tollan, 17 Silverholm Drive, Cleghorn, Lanark ML11 7SY (“the Homeowner”)

Newton Property Management Limited, 87 Port Dundas Road, Glasgow G4 0HF (“the Property Factor”)

Tribunal Member:

Neil Kinnear (Legal Member) and Andrew Taylor (Ordinary Member)

DECISION

[1] This document should be read in conjunction with the Tribunal’s Review Decision of the same date.

[2] The Tribunal proposes to make the following Property Factor Enforcement Order (“PFEO”).

[3] Within 28 days of intimation of the PFEO, the Property Factor must make payment to the Homeowner of the sum of £862.29 in respect of the Property Factor’s failure to comply with sections 2.1 and 2.4 of the Code of Conduct for Property Factors in compensation.

[4] The intimation of the Tribunal’s decision and this notice of proposal to make a PFEO should be taken as notice for the purposes of section 19(2)(a) of the Act and parties are hereby given notice that they should ensure that any written representations which they wish to make under section 19(2)(b) of the Act reach the Tribunal by no later than 14 days after the date that the Decision and this notice is intimated to them. If no

representations are received within that timescale, then the Tribunal is likely to proceed to make a PFEO without seeking further representations from the parties.

[5] Failure to comply with a PFEO may have serious consequences and may constitute an offence.

07 November 2022

Legal Member

Date
