

# Housing and Property Chamber First-tier Tribunal for Scotland



**Decision of the of the First-tier Tribunal for Scotland Housing and Property  
Chamber  
In an Application under section 17 of the Property Factors (Scotland) Act 2011**

**By**

**David Byfield, 1 Westfarm Wynd, Cambuslang, South Lanarkshire G72 7RP  
("the Applicant")**

**South Lanarkshire Council, Council Offices, Almada Street, Hamilton ML3 0AA  
("the Respondent")**

**Chamber Ref: FTS/HPC/PF/17/0380**

**Re: 2/2, 1 Richmond Place, Rutherglen, South Lanarkshire G73 3BA  
("the Property")**

**Committee Members:**

John McHugh, Chairman  
Carol Jones, Ordinary (Surveyor) Member

**Decision**

The Committee hereby determines that the Property Factor Enforcement Order has been complied with.

The decision is unanimous.

**Reasons for Decision**

The Committee issued a Property Factor Enforcement Order on 13 April 2018 ("the PFEO") as follows:

*"Within 40 days of the date of the communication to the Respondent of this property factor enforcement order, the Respondent must:*

- 1 Pay to the Applicant the sum of £150.*
- 2 Confirm in writing to the office of the Tribunal that step 1 above has been carried out."*

In terms of section 23(1) of the 2011 Act, the Tribunal is to determine whether the Respondent has complied with the PFEO.

On 18 April 2018, the Applicant advised the Tribunal that he had received the sum of £150 from the Respondent.

Accordingly, the Tribunal considers the PFEO to have been complied with.

## **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.

Signed

Date ...5 June 2018.....

JOHN M MCHUGH

Chairman