

Housing and Property Chamber First-tier Tribunal for Scotland



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

Certificate of Compliance: Property Factors (Scotland) Act 2011 Section 19

Chamber Ref: FTS/HPC/PF/19/0691

**22 and 24 Beaully Place, East Kilbride, G74 1DD
("the Property")**

The Parties:-

**Mrs Kathryn Forbes, residing at 32 Macdonald Avenue, East Kilbride, G74 4SN
("the Homeowner and Applicant"), represented by Mrs Eileen McCallum**

**South Lanarkshire Council, Factoring Services, Hamilton Business Unit,
Pollock Avenue Hillhouse, Hamilton, ML3 9SZ ("the Factor and Respondent")**

Tribunal Members:-

Patricia Anne Pryce	-	Chairing and Legal Member
David Godfrey	-	Ordinary Member (Surveyor)

This document should be read in conjunction with the First-tier Tribunal's decisions of 16 July and 4 August, both 2019.

Decision

The Tribunal determined that the Respondent has complied with the property factor enforcement order contained within its decision dated 4 August 2019.

The Tribunal's decision is unanimous.

Reasons for Decision

In the Tribunal's decision dated 4 August 2019, the Tribunal made a property factor enforcement order ("PFEO") in the following terms:-

"Within 28 days of the date of communication to the Respondent of the property factor enforcement order, the Respondent must:-

1. Pay to the Applicant the sum of £500.

2. Amend its written statement of services (WSS) as follows:-
 - (i) To include timescales in respect of which the Respondent will respond to enquiries.
 - (ii) To make reference to its complaints procedure together with where this can be found.
3. Provide documentary evidence to the tribunal of the Respondent's compliance with the above Property Factor Enforcement Order by sending such evidence to the office of the First-tier Tribunal (Housing and Property Chamber) by recorded delivery post."

The Tribunal has taken account of all of the documentary evidence provided by both parties. The Tribunal unanimously agrees that the Respondent has complied with the proposed order. The Tribunal certifies that the Respondent has complied with the PFEO.

Appeal

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.

Legal and Chairing Member

26 September 2019 Date