

Scottish Courts and Tribunals Service



Mr Graham Simpson MSP
The Scottish Parliament
Edinburgh
EH99 1SP

Chief Executive's Office
Parliament House
Parliament Square
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22 August 2018

Dear Mr Simpson

SCOTTISH PARLIAMENTARY QUESTION S5W-18097

The Cabinet Secretary in his response to the above PQ indicated that it relates to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing to you in response to the matter you have raised.

S5W-18097 asks the Scottish Government how many Property Factor Enforcements Orders have not been complied with each year under the First Tier Tribunal for Scotland (Housing and Property Chamber); how many of these have been referred to Police Scotland and/or the Crown Office and Procurator Fiscal Service; and how many of these referrals have been taken to court, broken down by the outcome.

Between 1 December 2016 and 21 August 2018, six Property Factor Enforcement Orders issued by the First-tier Tribunal for Scotland (Housing and Property Chamber) have not been complied with. All six of these cases were referred to Police Scotland for prosecution. Unfortunately we are unable to advise what action Police Scotland have taken as a result. This information is not provided to the Chamber. The Chamber's involvement ceases after the decision is referred to the prosecuting authorities, the property factor registration team are advised of the outcome, and the appeal/review period of the decision has ended.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely

A handwritten signature in black ink, appearing to be 'E McQueen', with a long horizontal flourish extending to the right.

Eric McQueen
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