



Property Factors (Scotland) Act 2011

2011 asp 8

PART 2

DISPUTE RESOLUTION

Property factor enforcement orders

21 Variation and revocation of property factor enforcement orders

- (1) ^{F1}Where the First-tier Tribunal has made a property factor enforcement order it] may, at any time—
 - (a) vary the order in such manner as ^{F2}it considers] reasonable, or
 - (b) where ^{F3}it considers] that the action required by the order is no longer necessary, revoke it.
- (2) Where subsection (3) applies, the ^{F4}First-tier Tribunal] must vary the property factor enforcement order—
 - (a) so as to extend, or further extend, the period within which any action required by the order must be executed, and
 - (b) in such other manner as ^{F5}it thinks] fit.
- (3) This subsection applies where—
 - (a) the ^{F6}First-tier Tribunal considers] , on the submission of the property factor or otherwise, that any action required by a property factor enforcement order has not been, or will not be, executed during the period within which the order requires the work to be executed, and
 - (b) the ^{F7}First-tier Tribunal] —
 - (i) ^{F8}considers] that satisfactory progress has been made in executing the action required, or
 - (ii) ^{F9}has] received a written undertaking from the property factor stating that the action required will be executed by a later date which the ^{F7}First-tier Tribunal][^{F8}considers] satisfactory.
- (4) References in this Act to a property factor enforcement order or to action required by such an order are, where the order has been varied under this section, to be treated as

Changes to legislation: There are currently no known outstanding effects for the Property Factors (Scotland) Act 2011, Section 21. (See end of Document for details)

references to the order as so varied or, as the case may be, to action required by the order as so varied.

Textual Amendments

- F1** Words in s. 21(1) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(a)(i)** (with sch. 1 para. 5)
- F2** Words in s. 21(1)(a) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(a)(ii)** (with sch. 1 para. 5)
- F3** Words in s. 21(1)(b) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(a)(iii)** (with sch. 1 para. 5)
- F4** Words in s. 21(2) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(b)(i)** (with sch. 1 para. 5)
- F5** Words in s. 21(2)(b) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(b)(ii)** (with sch. 1 para. 5)
- F6** Words in s. 21(3)(a) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(c)(i)** (with sch. 1 para. 5)
- F7** Words in s. 21(3)(b) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(c)(ii)(aa)** (with sch. 1 para. 5)
- F8** Word in s. 21(3)(b) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(c)(ii)(bb)** (with sch. 1 para. 5)
- F9** Word in s. 21(3)(b) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Homeowner Housing Committees\) Regulations 2016 \(S.S.I. 2016/335\)](#), reg. 1(2), **sch. 2 para. 10(c)(ii)(cc)** (with sch. 1 para. 5)

Commencement Information

- I1** S. 21 in force at 1.10.2012, see s. 33(2)

Changes to legislation:

There are currently no known outstanding effects for the Property Factors (Scotland) Act 2011, Section 21.