



Notice of Proposal

of the Homeowner Housing Committee

Under section 19(2)(a) of the Property Factors (Scotland) Act 2011

Case Reference Number: HOHP/15/0068

1/1, 75 Acre Road, Glasgow, G20 0TL ('the Property')

The Parties:

Malcolm McCallum residing at 4 East Mayfield, Edinburgh, EH9 1SD ('the Homeowner')

Your Place, Wheatley Group, Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL ('the Factor')

Committee members:

Jacqui Taylor (Chairperson) Robert Buchan (Surveyor Member) and Ahsan Khan (Housing Member).

NOTICE TO THE PARTIES

Whereas in terms of their decision dated 27th April 2016, the Homeowner Housing Committee decided that the factor had failed to comply with the duties of the Property Factor all as stated in the said decision; The Committee proposes to make a property factor enforcement order in the following terms:

'The Factor must:

- 1. Provide the Homeowner with an amended written Statement of Service clearly explaining the details of the group heating system and the common and individual parts of the system; how the fuel charges are calculated and apportioned; who is responsible for repairs to radiators and common parts of the group heating system and the circumstances in which the Homeowner can instruct his own contractors to repair or replace radiators within his own properties.*
- 2. Pay the homeowner £75 for the inconvenience he had suffered from their own funds and at no cost to the owners.*

The said sum to be paid within 3 months of the communication to the factor of the Property Factor Enforcement Order.'

Both the homeowner and the factor are invited to make representations to the Committee on this Notice of Proposal and the decision accompanying it. The parties must make such representations in writing to the Homeowner Housing Panel by no later than 14 days after the notification to them of this Notice.

If no representations are received within that timescale, then the Committee is likely to proceed to make a property factor enforcement order without seeking further representations from the parties.

Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.

Jacqueline Taylor

Signed

Date 27th April 2016

Chairperson