



Hohp ref:HOHP/13/0067

**Re: 177 Ledard Road, Glasgow, G42 9RE ('the Property')**

**The Parties:**

**Jim Gilmour residing at 177 Ledard Road, Glasgow ('the homeowner')**

**Hacking and Paterson Management Services, 1 Newton Terrace, Glasgow, G3 7PL ('the factor')**

**Committee members:**

**Jacqui Taylor (Chairperson) Carol Jones (Surveyor Member) and Ann MacDonald (Housing Member)**

The Homeowners Housing Committee ('the Committee'), having made such enquiries as it saw fit for the purposes of determining whether the factor has:

- (a) Complied with the property factor's duties in terms of the Property Factors (Scotland) Act 2011 ('the 2011 Act') and
- (b) Complied with the Code of Conduct for property factors, as required by section 14 of the 2011 Act

Determined in their decision dated 8<sup>th</sup> October 2013 that the factor has not complied with the property factor's duties from 1<sup>st</sup> October 2012 and has not complied with the Code of Conduct between 1st October 2012 and 22<sup>nd</sup> April 2013 .

The Committee intimated to the parties, in terms of their said decision dated 8<sup>th</sup> October 2013, that they proposed to make a Property Factor Enforcement Order. As no representations have been received from the parties in relation to the proposed Property Factor Enforcement Order the Committee make the following Property Factor Enforcement Order:

*Within 28 days of the communication to the factor of the Property Factor Enforcement Order:*

- (1) *The factor is required to repay the homeowner the sum of £104.68 (being a one eighth share of the J H Horn Plumber Limited's account) as the account*

*does not relate to a common repair. The said sum of £104.68 to be paid from the factor's own funds at no cost to the owners.*

- (2) The factor must issue an apology to the homeowner and call the meeting referred to in Paragraph 4 of their written representations, being a meeting for the majority to consider and review the factors' procedures for instructing common repairs to the property and going forward, to agree a cost ceiling for such repairs.*
- (3) The factor is required to reimburse the homeowner his share of Fourply's account for the tiling works from their own funds and at no cost to the owners.*
- (4) The factor must pay the homeowner £50 for the inconvenience he had suffered from their own funds and at no cost to the owners.*

Jacqui Taylor

Signed ..

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Date 29<sup>th</sup> October 2013

Chairperson