



**Certificate of the Homeowner Housing Committee issued under the
Homeowner Housing Panel (Applications and Decisions) (Scotland)
Regulations 2012**

Hohp ref: HOHP/PF/13/0080

Re: Property at 2/1, 19 Rupert Street, Glasgow, G4 9AP (collectively "the Property")

The Parties:-

Yoginder Malhotra, 251 Great Western Road, Glasgow, G4 9EG ("the Applicant")

Walker Sandford Property Management Limited, St Georges Buildings, 5 St Vincent Place, Glasgow, G1 2DH("The Respondent")

Certificate of Compliance with Property Factor Enforcement Order dated 19 December 2013 in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Committee Members: Patricia Anne Pryce (Chairperson); Elizabeth Dickson (Housing Member); A. Scott Campbell (Housing Member).

On 19 December 2013 the Committee made a Property Factor Enforcement Order ("the order") requiring the factor to issue an apology to the Applicant in respect of the Respondent's various failures which amounted to breaches of the Code and of the property factor's duties, in particular addressing the level of stress and upset this has caused the Applicant and his wife, make a payment to the Applicant of £1,000 in recognition of the extreme stress and upset this has caused the Applicant and his wife over the past four years,

recognising the total failure of the Respondent to respond to complaints and compensating the Applicant for the wholly unjustified legal action taken against him in respect of the Notice of Potential Liability, remove the £12 charge for the pre court action letter together with all other statutory charges and interest charged thereon and credit the Applicant's account with this sum showing a nil balance due by the Applicant, to carry out all steps necessary to remove the Notice of Potential Liability from the Applicant's property, with all necessary costs to be borne by the Respondent and provide documentary evidence to the Committee of the Respondent's compliance with the above Property Enforcement Factor Order by sending such evidence to the office of the Homeowner Housing Panel by recorded delivery post. The factor has provided said documentary evidence to the HOHP and that by letter dated 28 February 2014. The Committee has taken account of the said documentary evidence provided by the factor together with the email from the Homeowner to the HOHP dated 1st May 2014. In his email of 1st May 2014, the Homeowner states that he agrees that the order has been complied with. The Committee unanimously agrees that the factor has complied with the order. The Committee certifies that the factor has complied with the order.

Right of Appeal

The Parties' attention is drawn to the terms of Section 22 of the Act regarding their right to appeal, and the time limit for doing so. It provides:-

(1) An appeal on a point of law only may be made by summary application to the sheriff against a decision of the president of the homeowner housing panel or a homeowner housing committee.

(2) An appeal under subsection (1) must be made within the period of 21 days beginning with the day on which the decision appealed against is made.

More information regarding appeals can be found in the information guide produced by the homeowner housing panel. This can be found on the panel's website at:

<http://hohp.scotland.gov.uk/prhp/2649.325.346.html>

Patricia Pryce

Signed

Dated 12th May 2014

Chairperson