



## **Decision of the Homeowner Housing Committee**

### **In an application under Section 17 of the Property Factors (Scotland) Act 2011**

#### **Property Factor Enforcement Order**

HOHP reference: HOHP/PF/16/0050

Re: Property situated at and known as 6 Clydeview Apartments, High Carnegie Road, Port Glasgow, PA14 6BX ("the property")

#### **The Parties:-**

Mrs Elaine Murray, residing at 6 Clydeview Apartments, High Carnegie Road, Port Glasgow, PA14 6BX ("the Homeowner")

And

Morison Walker Property Management Limited, having a place of business at 23 Patrick Street, Greenock, PA16 8NB ("the Factor")

#### **Notice to the Parties**

Whereas :-

- 1) In terms of their decision dated 24 October 2016, the Homeowner Housing Committee ("the Committee") decided that the Factor had failed to comply with the Property Factor's Code of Conduct and the Property Factor's duties, all as stated in the said decision;
- 2) The Committee sent to the Parties a notice of their proposed Property Factor Enforcement Order ("PFEO") also dated 24 October 2016; and
- 3) no representations have been received from the parties in relation to the proposed PFEO.

The Committee make the following PFEO:-

By not later than 6 December 2016, the Factor must:-

- (a) provide to the Homeowner a revised statement of services which specifically sets out the communication arrangement, in-house complaints handling procedures and timescales, all as specified within Section 1(D) of the Code of Conduct for Property Factors; and

- (b) credit the Homeowner's factoring account with a further sum of £30 (additional to the sum credited by the Factor in May 2016) as a further refund of management fees.

### **Right of Appeal**

1. The parties' attention is drawn to Section 21 of the 2011 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 21 days beginning with the date on which the decision appealed against is made..."

A. COWAN

Signed ..... Date 16 November 2016  
Andrew Cowan, Chairperson

L. McMANUS

Witness .....  
Laura McManus, Secretary, 7 West George Street,  
Glasgow, G2 1BA