



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

**HOHP reference: HOHP/PF/14/0111**

**Re: 78 Belmont Drive, East Kilbride G75 8HD ("the property")**

### **The Parties:**

**Mrs Anna Goudarzi, 2 Bellflower Grove, East Kilbride G74 4TB ('the homeowner')**

**South Lanarkshire Council, Housing and Technical Resources, Almada Street, Hamilton ML3 0AA ("the property factor")**

### **Certificate of Compliance with Property Factor Enforcement Order dated 8 July 2015 made under Section 19(3) of the Property Factors (Scotland) Act 2011.**

### **Committee members:**

George Clark (chair), Richard Burnett (surveyor member) and Scott Campbell (housing member)

### **Decision of the Committee**

On 8 July 2015, the Committee made a Property Factors Enforcement Order ("the Order") in the following terms:-

"Within 4 weeks of the communication to the property factor of the PFEO, the property factor shall (1) send a written apology to the homeowner for its failure to take steps to confirm with her that she had agreed with Ailsa Building Contractors Limited the works to be carried out in her property and that the works had been completed (2) conduct a review of its policy and procedures for dealing with claims by homeowners for compensation and to make such changes to those policies and procedures as are necessary to ensure they comply with the requirements of Section

7.2 of the Property Factors (Scotland) Act 2011 Code of Conduct for Property Factors".

The property factor confirmed compliance with the Order by letter dated 12 August 2015 (received by HOHP on 14 August 2015) and the homeowner, by e-mail dated 14 August 2015, also confirmed compliance with the Order. Accordingly, the unanimous view of the Committee is that the property 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>

Signed,

Dated 14 September 2015

Chairperson