



**Decision of the Homeowner Housing Committee
in an application under section 17 of the Property Factors
(Scotland) Act 2011**

AMENDED PROPERTY FACTOR ENFORCEMENT ORDER

Case Reference Number: HOHP/14/0201

Re: 34 Savoy Park, Ayr, KA7 2XA ('the Property')

The Parties:

James Anderson residing at 34 Savoy Park, Ayr, KA7 2XA ('the homeowner')

Speirs Gumley Property Management, 194 Bath Street, Glasgow, G2 4LE ('the factor')

Committee members:

Jacqui Taylor (Chairperson), Sara Hesp (Surveyor Member).

The Homeowners Housing Committee ('the Committee'), having made such enquiries as it saw fit for the purposes of determining whether the factor has complied with the property factor's duties in terms of the Property Factors (Scotland) Act 2011 ('the 2011 Act') determined that the factor has not complied with the duties of the Property Factor.

The Committee intimated to the parties, in terms of their said decision dated 31st May 2015, that they proposed to make a Property Factor Enforcement Order. As no timeous representations had been received from the parties in relation to the proposed Property Factor Enforcement Order the Committee made the following Property Factor Enforcement Order dated 21st June 2015:

'The factor must pay the homeowner £200 for the inconvenience he had suffered from their own funds and at no cost to the owners. The said sums to be paid within 28 days of the communication to the factor of the Property Factor Enforcement Order.'

In view of the subsequent correspondence received from the parties the Committee hereby extend the period for compliance with the Property Factor Enforcement Order to 11th September 2015.

Appeals

The parties' attention is drawn to the terms of 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 homeowner housing committee.

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

Signed Date 9th August 2015

Chairperson