



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

Certificate of Compliance with the Property Factor Enforcement Order issued by the Committee under Section 19 (3) of the Property Factors (Scotland) Act 2011 on 5 September 2014

Hohp ref: HOHP/PF/13/0044

Re : Property known as Play Area, Rumford Grange, Falkirk, FK2 0EN ("the property")

The parties:-

Mr. David Willson residing at 62, Craig Crescent, Rumford Grange, Falkirk FK2 0EN ("the homeowner")

Newton Property Management having a place of business at 87, Port Dundas Road, Glasgow G4 0HF ("the factors")

Committee

Karen Moore (Chairperson)

Helen Barclay (Housing Member)

Charles Reid Thomas (Surveyor Member)

Background

Following a Hearing on 13 November 2014 at the Homeowner Housing Panel offices at the Europa Building, 450 Argyle Street, Glasgow, the Committee made the following Property Factor Enforcement Order (PFOE):-

"Within 28 days of the date of the date of this property factor enforcement order, the factors must:

1. Issue a written statement to the homeowner explaining fully exactly how and why they instructed works as referred to in his Application and detailing exactly which powers and authority they used to do so and

- 2. Provide the homeowner with a copy of the quarterly and annual inspection reports prepared by Active Playground Management Limited and referred to in the foregoing Decision."*
2. The PFEO was intimated to the Parties. On 13 January 2016, the factor wrote to the Committee advising that the PFEO had been complied with on 8 October 2015. This letter was copied to the homeowner for comment. The homeowner having made no response by 25 February 2016 and the Committee, having regard to the factor's conduct at the Hearing and taking into account the nature of the PFEO, determined on the basis of factor's letter of 12 January 2016 that that the PFEO dated 25 March 2015 has been complied with by the property factor. Accordingly, the Committee issue this Certificate of Compliance.

Appeals

8. 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 date on which the decision appealed against is made..."

Karen Moore

Chairperson Signature

Date.....*7 March 2016*