



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

Hohp ref:HOHP/15/0040 and HOHP/15/0115

Re: 122 Novar Drive, Glasgow, G12 9SY ('the Property')

The Parties:

Damien Donnelly residing at 122 Novar Drive, Glasgow, G12 9SY ('the homeowner')

W.M.Cumming, Turner & Watt, 40, Carlton Place, Glasgow, G5 9TS ('the factor')

Committee members:

Jacqui Taylor (Chairperson) Elizabeth Dickson (Housing Member)

**CERTIFICATE OF COMPLIANCE with PROPERTY FACTOR
ENFORCEMENT ORDER DATED 11th February 2016 ('The PFEO')**

in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Decision of the Committee

The Homeowner Housing Committee having determined that the PFEO relating to the Property has been complied with, certifies that the factor has complied with the PFEO.

Reasons for the Decision

1. The actions required by The PFEO were:

'1. Send the Homeowner a written apology for their delays in replying to the Homeowner's questions, poor communication and failing to keep the Homeowner properly advised within 28 days of the communication to the Factor of the Property Factor Enforcement Order'

2. 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.'

2. The Homeowner sent written confirmation to the Homeowner dated 1st April 2016 that he had received a cheque for £200. However he expressed a concern that the letter from the Factor dated 7th March 2016 only apologised for delays in replying to his questions and queries and their failure to keep him advised. The letter omitted to apologise for poor communication.

3. The Factor sent a further letter to the Homeowner dated 19th April 2016 which specifically apologised for their poor communication. The Homeowner confirmed that he received this letter on 13th June 2016.

4. The Committee consequently confirm that the terms of the PFEO have been complied with.

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 may only 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 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.

Date 14th June 2016

Chairperson