



**Notice of proposal to make a Property Factor Enforcement Order made under  
Section 19(2)(a) of the Property Factors (Scotland) Act 2011 ("the Act")  
following upon a Decision of the Homeowner Housing Committee in an  
application under Section 17(1) of the Act**

**By**

**Mr James McLaren, residing at 34 Balmaha Road, Drymen, Glasgow G63 0BY  
('the homeowner')**

**Be Factored (formerly Property2) 2a, North Kirklands, Eaglesham Road,  
Glasgow G76 0NT ('the factor')**

**HOHP Ref: HOHP/PF/15/0023**

**Re: Flat 3/1, 29 Winton Drive, Glasgow G12 0PZ ('the property')**

**Committee members:** David M Preston (Chairman); Mrs Sally Wainwright

**This document should be read in conjunction with the Committee's Decision  
under Section 19(1)(a) of the Act of the same date.**

The Committee proposes to make the following Property Factor Enforcement Order ("PFEO"):

Within one month from the date of service of the PFEO to follow hereon, the factor to send to: HOHP, Europa Building, 450 Argyle Street, Glasgow G2 8LH a revised Complaints Handling Procedure to take account of complaints submitted by homeowners in matters in which the factor's Director has been directly involved, and which complies with the Code of Conduct and to publish the revised procedure on their website.

Section 19 of the 2011 Act provides as follows:

*"... (2) In any case where the committee proposes to make a property factor enforcement order, they must before doing so...*

(a) give notice of the proposal to the property factor, and

(b) allow the parties an opportunity to make representations to them.

(3) If the committee are satisfied, after taking account of any representations made under subsection (2)(b), that the property factor has failed to carry out the property factor's duties or, as the case may be, to comply with the section 14 duty, the committee must make a property factor enforcement order..."

The intimation of the Committee's Decision and this notice of proposal to make a PFEO to the parties should be taken as notice for the purposes of section 19(2) (a) of the Act and parties are hereby given notice that they should ensure that any written representations which they wish to make under section 19(2) (b) of the Act reach the Homeowner Housing Panel's office by no later than fourteen days after the date that the Decision and this notice is intimated to them. If no representations are received within that timescale, then the Committee is likely to proceed to make a property factor enforcement order ("PFEO") without seeking further representations from the parties.

**Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.**

Chairperson Signature .

Date.....7-9-15..