hohp

Notice of Proposal

of the Homeowner Housing Committee

Under section 19(2)(a) of the Property Factors (Scotland) Act 2011

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)

NOTICE TO THE PARTIES

Whereas in terms of their decision dated 8th December 2015, the Homeowner Housing Committee decided that the Factor had failed to comply with the duties of the Property Factor and Sections 2.1, 2.5 and 4.6 of the Code of Conduct for property factors, all as stated in the said Decision; The Committee proposes to make a Property Factor Enforcement Order in the following terms:

'The Factor must:

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.'

Both the Homeowner and the Factor are invited to make representations to the Committee on this Notice of Proposal. The parties must make such

representations in writing to the Homeowner Housing Panel by no later than 14 days after the notification to them of this Notice.

If no representations are received within that timescale, then the Committee is likely to proceed to make a Property Factor Enforcement Order 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.

Jacqui Taylor

Signed ….   …..Date   8th December 2015

Chairperson