



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

Reference: HOHP/PF/15/0020

Re: 22 Derby Wynd, Carfin, Motherwell ML1 4GE (the Property)

The Parties:

Miss Ann-Marie McPolin, 22 Derby Wynd, Carfin, Motherwell ML1 4GE (the homeowner).

FirstPort property Services Scotland limited, 183 St Vincent Street, Glasgow, G2 5QD ("the property factor").

Committee Members

Martin McAllister (Chairperson) and Ann MacDonald (Housing Member).

Whereas in its decision dated 17th June 2015 the Committee determined that the property factor had failed to comply with the Code of Conduct for Property Factors, and it determined to issue a Property Factor Enforcement Order (PFEO) and the required notice of the proposed PFEO was given to parties in terms of Section 19(2) of the Act on 22nd June 2015 and neither party having made representations now therefore the Committee Hereby Makes the following Property Factors Enforcement Order:

That the property factor makes a payment to the homeowner of £250 in respect of compensation and in recognition of the inconvenience experienced by the homeowner.

Payment must be made within twenty one days of service of this property factor enforcement order upon the property factor.

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

Appeals

Parties' attention is drawn to the terms of Section 22 of the Act regarding the 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 the decision of the President of the Homeowner Housing Panel or Homeowner Housing Committee.

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

Chairperson Signature

Date 15th July 2015

Martin J.McAllister