



Property Factor Enforcement Order issued under Section 19 of the Property Factors (Scotland) Act 2011 (-the Act") and the Homeowner Housing Panel (Applications and Decisions) (Scotland) Regulations 2012

Ref: HOHP PF/1310289

The Property: Flat 1, 66 Cow Wynd, Falkirk, FK1 5EA

The Parties: -

MR STUART REID, residing at Newforth Cottage, Wallacestone Brae, Wallacestone, Falkirk, FK2 0DH ("the Homeowner")

and

PROPERTY 2, 2a North Kirklands, Eaglesharn Road, Glasgow, G76 0NT ("the Factor")

Committee Members:

David Preston (Chairman); Sara Hesp (Surveyor Member)

WHEREAS in its decision dated 31 March 2014 the Committee determined that the Factor had failed to comply with Sections 2.5 and 7.2 of the Code of Conduct for Property Factors ("the Code"), and it determined to issue a Property Factor Enforcement Order (PFEO).

The required notice of the proposal in Section 19 (2) of the Act was given to the parties on 31 March 2014 to allow the parties an opportunity to make representations.

No representations having been received from the parties, the Committee **HEREBY MAKES** the following Property Factors Enforcement Order:

Within 28 days of service on the Factor of the Property Factor Enforcement Order, to pay to the Homeowner the sum of £100 to reflect the inconvenience he has suffered as a result of the Factor's failure to comply with the Code of Conduct for Property Factors. Said payment to be made to the Homeowner directly and without off set against any balance which may be due to the Factor by the Homeowner and to provide evidence to HOHP of the payment having been made.

Failure to comply with a Property Factor Enforcement Order may have serious consequences and may constitute an offence

APPEALS:

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

David Preston

Chairman

16/4/14.....date