



**Decision of the Homeowner Housing Committee
In an Application under section 17 of the Property Factors (Scotland) Act 2011**

by

Aylmer Millen, 5 Hillpark Grove, Edinburgh EH4 7AP (“the Applicant”)

**Charles White Limited, Citypoint, 65 Haymarket Terrace, Edinburgh EH12 5HD
 (“the Respondent”)**

Reference No: HOHP/LM/16/0031

**Re: Property at Hillpark Grove, Edinburgh
 (“the Property”)**

Committee Members:

John McHugh (Chairman) and Ahsan Khan (Housing Member).

This document should be read in conjunction with the Committee’s Decision of the same date.

DECISION

We are of the view that we should make a property factor enforcement order in the terms originally proposed by us.

Our decision is unanimous.

REASONS FOR DECISION

In our decision we indicated that we proposed to make a property factor enforcement order (“PFEO”).

We indicated that prior to making a property factor enforcement order, we would provide the parties with a period of fourteen days within which to make representations under section 19(2)(b) of the Act.

Our decision was intimated to the parties on 19 August 2016. Neither party has responded.

The Committee makes the following Property Factor Enforcement Order (“PFEO”):

Within 60 days of the date of the communication to the Respondent of this property factor enforcement order, the Respondent must:

- 1 Carry out a review of the terms of its Written Statement of Service and its Customer Feedback Information Sheet and identify and correct any inconsistencies between the two, including bringing any changes to the attention of proprietors of properties in the Development.
- 2 Carry out a review of the terms of its Written Statement of Service and the terms of the Deed of Conditions to ensure that its practices in the management of the Development are consistent with the terms of those documents.
- 3 Confirm in writing to the office of the Homeowner Housing Panel that steps 1 and 2 above have been carried out.

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

APPEALS

The parties' attention is drawn to the terms of section 22 of the 2011 Act regarding their 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 a decision of the president of the homeowner housing panel or a 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...”

Signed J McHugh
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JOHN M MCHUGH

CHAIRMAN

Date: 5 September 2016