



Certificate of the Homeowner Housing Panel issued under the Homeowner Housing Panel (Applications and Decisions) (Scotland) Regulations 2012

HOHP reference: HOHP/13/PF/0018

Re: Property at Broomhill Court, Stirling, FK9 5AF (collectively “the Property”)

The Parties: Mr & Mrs AG Smith, Broomhill Court, Stirling, FK9 5AF (“the Homeowners”)

and

HACKING & PATERSON MANAGEMENT SERVICES, 1 Newton Terrace, Charing Cross, Glasgow, G3 7PL (“the Factors”)

Certificate of Compliance with a Property Factor Enforcement Notice dated 12 September 2013 in terms of s 19(3) of the Property Factors (Scotland) Act 2011

Committee members:

Maurice O'Carroll (Chairperson)

Andrew Taylor (Surveyor member)

Brenda Higgins (Housing member)

Decision of the committee

The Homeowner Housing Committee having determined that the Property Factor Enforcement Order relative to the Property dated 12 September 2013 has been complied with, the Committee therefore certifies that the Factors have complied with the Order.

Reasons for Decision

Following a hearing into the Homeowner's complaint held on 19 July 2013, the HOHP Committee issued a decision on 2 August 2013 which was promulgated to the

parties. Following representations received from the Factors in terms of s 19 of the 2011 Act, a final Property Factor Enforcement Order was issued on 12 September 2013. By Direction dated 31 October 2013, the time to comply with the said PFEO was extended to 10 November 2013.

On the basis of written and photographic evidence received from the parties and confirmation of relevant works having been completed, the Committee is now of the view that all of the terms of the PFEO have now been complied with by the Factors as far as is reasonably practicable.

It has therefore decided that the present Certificate of Compliance should be issued. No further action is therefore required of the Factors in terms of the said PFEO.

Right of appeal

The parties' attention is drawn to the terms of section 22 of the 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 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.

More information regarding appeals can be found in the information guide produced by the homeowner housing panel. This can be found on the panel's website at:

<http://hohp.scotland.gov.uk/prhp/2649.325.346.html>

Signed: Maurice O'Carroll

Date: 27 November 2013

Chairperson