



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

Hohp ref: HOHP/PF/13/0058

Re: Flat 3/3, 8 White Cart Court, The Point, Kilmarnock Road, Glasgow G43 2AT('the property')

The Parties:-

Ian McKim, 62 Mansionhouse Gardens, Glasgow ("the Homeowner")

Charles White Limited, Citypoint, 65 Haymarket Terrace, Edinburgh EH12 5HD ("the Property Factor")

Certificate of Compliance with Property Factor Enforcement Order dated 8th July 2013 in terms of Section 19(3) of the Property Factors (Scotland) Act 2011.

Committee Members:-

George Clark (Chairperson)

Alex Carmichael (Surveyor member)

Sue Shone (Housing member)

Decision of the Committee

On 8 July 2013, the Committee made a Property Factors Enforcement Order ("the Order") requiring the Property Factor to ensure that all works necessary to effect the repairs required to make the smoke vent system serving the Property fully functional were carried out and to pay to the Homeowner £100 for the inconvenience suffered by the Homeowner. The Committee further required that the Property factor must initially bear (and subsequently re-charge to owners as appropriate, in accordance with their respective liability) the cost of the works to the extent that the owners within the block of which the Property forms part had not paid their contributions towards the cost by the date on which the invoice for the works was submitted by the contractors.

The Property Factor has provided evidence to the satisfaction of the Committee that the payment of £100 to the Homeowner has been made (and this has been confirmed to the Committee by the Homeowner). The Property Factor has also provided a certificate from the contractors, T&S Technical Services (Scotland)

Limited that the works required by the Order have been carried out and has confirmed that the owners of the flats within the block of which the Property forms part have been re-charged in respect of their contributions towards the cost of the works.

Accordingly, the unanimous view of the Committee is that the Property factor has complied with the Order.

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 a homeowner housing committee.

(2) An appeal under subsection (1) must be made within the period of 21 days from 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>

George Clark

Signed ...

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Dated ... 10 January 2014 ...

Chairperson