



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

hohp Ref: HOHP/PF/14/0035/0036/0037

The Parties:-

Linda Clink, 30 Oak Loan, Dundee DD5 3UQ (“the Applicant”)

Greenbelt Group Ltd, McCafferty House, 99 Firhill Road, Glasgow G20 7BE (“the Respondent”)

Decision by a Committee of the Homeowner Housing Panel
In an Application under section 17 of the Property Factors (Scotland) Act 2011 (“the 2011 Act”)

Re: Land at Ballumbie Castle Estate, Dundee DD5. (“the Property”)

Committee Members:

John McHugh (Chairman); David Hughes Hallett and Colin Campbell (Housing Members).

Decision

The Committee hereby determines that the Property Factor Enforcement Order has been complied with.

The decision is unanimous.

Reasons for Decision

The Committee issued a Property Factor Enforcement Order on 16 June 2015 (“the PFEO”).

In terms of section 23(1) of the 2011 Act, the Committee is to determine whether the Respondent has complied with the PFEO.

The Committee is aware from representations made by the parties prior to the issue of the PFEO that the terms of the PFEO have been complied with. The circumstances applying in this case are unusual and are more fully described in our Decision of 16 June 2015.

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 ..

Date ...28 July 2015.....

JOHN M MCHUGH

Chairman