



Certificate of Compliance with Property Factor Enforcement Order dated 5 May 2016 issued under the Homeowner Housing Panel (Applications and Decisions) (Scotland) Regulations 2012

hohp Ref: HOHP PF/15/0042

The Property: Flat 1/2, 14 Walmer Crescent, Cessnock, Glasgow G51 1AT

The Parties: –

Dr Jon Hand and Ms Brenda Lillicrap, both residing at the Property (“the homeowners)

and

Ross & Liddell Ltd, Registered under the Companies Acts under Number 097770 and having their Registered Office at 60, St Enoch Square, Glasgow G1 4AW (“the factors”)

Committee Members:

David Preston (Convener) and Carolyn Hirst (Housing Member).

Decision:

The Committee granted a Certificate of Compliance with the PFEO dated 5 May 2016.

1. In terms of the Property Factor Enforcement Order (hereinafter referred to as “PFEO”) dated 5 May 2016 the Factor was directed to pay to the homeowners from their own funds the sum of £1,000 for a) compensation for the time, effort and inconvenience of attempting to resolve the ongoing difficulties and misunderstandings arising from the correspondence; and b) in recognition that additional costs were incurred by the homeowners as a result of the confusion in relation to the nature of the insurance policy since the coming into force of the Act.
2. The homeowner agreed in their response dated 24 June 2016 to the compliance letters issued to the parties that the actions required in the PFEO had been completed.


3. The factor agreed in their response dated 10 June 2016 to the compliance letters issued to the parties that the actions required in the PFEO had been completed.
4. The Committee was accordingly satisfied that the Factor had complied with the terms of the PFEO and accordingly determined to revoke the PFEO.

Appeals:

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..."

15-Jul-16

CHAIRMAN
Signed by: DAVID MICHAEL PRESTON