



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

PROPERTY FACTOR ENFORCEMENT ORDER

Hohp ref:HOHP/LM/15/0069

12 Brixwold Rise, Bonnyrigg, EH19 3FG being the subjects registered in the Land Register of Scotland under Title Number MID132812 ('the Property')

The Parties:

Ms Lea Taylor residing at 12 Brixwold Rise, Bonnyrigg, EH19 3FG ('the Homeowner')

James Gibb Residential Factors, 4 Atholl Place, Edinburgh, EH3 8HT ('the Factor')

Committee members:

Jacqui Taylor (Chairperson) and Elizabeth Dickson (Housing Member).

NOTICE TO THE PARTIES

Whereas in terms of their decision dated 9th May 2016, the Homeowner Housing Committee decided that the factor had failed to comply with the duties of the Property Factor all as stated in the said decision; The Committee sent the parties a notice of their proposed PFEO also dated 9th May 2016. As no timeous representations have been received from the parties in relation to the proposed Property Factor Enforcement Order the Committee make the following Property Factor Enforcement Order:

'The Factor must pay the Homeowner £ 150 for the inconvenience she had suffered from their own funds and at no cost to the owners.

The said sums to be paid within 28 days.'

Appeals

The parties' attention is drawn to the terms of section 21 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 homeowner housing committee.

(2) An appeal under subsection (1) must be made within a period of 21 days beginning with the day on which the decision appealed against is made.

Signed

Date 14th June 2016

Chairperson