



Notice of Proposal

**of the Homeowner Housing Committee
Under section 19(2)(a) of the Property Factors (Scotland) Act 2011
Case Reference Number: HOHP/14/0133**

Re:

21 Homeshaw House, Broomhill Gardens, Newton Mearns, G77 5HP ('the Property')

The Parties:

Miss Elizabeth Patterson residing at 21 Homeshaw House, Broomhill Gardens, Newton Mearns, G77 5HP ('the homeowner')

Bield Housing and Care, Craighall Business Park, 7 Eagle Street, Glasgow, G4 9XA ('the factor')

NOTICE TO THE PARTIES

Whereas in terms of their decision dated 31st May 2015, the Homeowner Housing Committee decided that the factor had failed to comply with the Property Factor Code of Conduct and 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 31st May 2015. Thereafter the factor sent the Committee a letter dated 28th July 2015 advising that a full (re)investigation of the homeowner's complaint had been undertaken. They provided details of the outcome of the investigation. The homeowner subsequently wrote to the Committee, her letter was received on 4th August 2015 and the homeowner's representative also wrote to the Committee on 5th August 2015. The homeowner advised that she agreed with the decisions reached by the factors in their investigation and clarified some factual discrepancies.

The Committee having considered this documentation proposes to make the following amended Order:

(1) The factor is required to send the homeowner a written apology for their failings in the way they handled the homeowner's original complaint.

(2) The factor must pay the homeowner £200 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.

Both the homeowner and the factor are invited to make representations to the Committee on this Notice of Proposal. The parties must make such representations in writing to the Homeowner Housing Panel by no later than 14 days after the notification to them of this Notice.

If no representations are received within that timescale, then the Committee is likely to proceed to make a property factor enforcement order without seeking further representations from the parties.

Failure to comply with a property factor enforcement order may have serious consequences and may constitute an offence.

Signed

Date 13th August 2015