

Housing and Property Chamber

First-tier Tribunal for Scotland



First-tier Tribunal for Scotland (Housing and Property Chamber)

Certificate of the First-tier Tribunal for Scotland (Housing and Property Chamber) issued under the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016

Chamber Reference: HOHP/PF/16/0050

Re Property situated at and known as 6 Clydeview Apartments, High Carnegie Road, Port Glasgow, PA14 6BX ("the property")

The Parties:-

Miss Elaine Murray, residing at 6 Clydeview Apartments, High Carnegie Road, Port Glasgow, PA14 6BX ("the Homeowner")

And

Morison Walker Property Management Limited, having a place of business at 23 Patrick Street, Greenock, PA16 8NB ("the Factor")

Certificate of Compliance with a Property Factor Enforcement Notice dated 16 November 2016 in terms of Section 19 (3) of the Property Factors (Scotland) Act 2011 ("the Act").

Tribunal:-

Andrew Cowan (Chairperson)
Ann MacDonald (Housing Member)

Decision of the tribunal

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the tribunal") (being the successor to the Homeowner Housing Panel) has decided to grant a Certificate of Compliance with the Property Factor Enforcement Order dated 16 November 2016 ("the PFEO").

Reasons for Decision

1. In terms of a PFEO dated 16 November 2016, the Factor was directed to:-
 - (a) provide the Homeowner with a revised statement of services which specifically sets out the communication arrangement, in-house complaints handling procedures and timescales, all as specified within Section 1 (D) of the Code of Conduct for Property Factors; and

(b) credit the Homeowner's factoring account with a further sum of £30 (additional to the sum credited by the Factor in May 2016) as a further refund of management fees.

2. The Homeowner agreed, in terms of her written response to the tribunal, dated 14 January 2017, to the compliance letter issued to the parties, that the actions required in the PFEO had now been completed.
3. The Factor agreed, in terms of their written response to the tribunal, dated 19 January 2017, to the compliance letter issued to the parties, that the actions required in the PFEO had now been completed.
4. The tribunal was accordingly satisfied that the Factor had complied with the terms of the PFEO and accordingly determined to revoke the PFEO.

Right of appeal

A Homeowner or Factor aggrieved by the decision of the tribunal may seek permission to appeal from the First-tier Tribunal on a point of law only within 30 days of the date the decision was sent to them.

Signed
Andrew Cowan, Chairperson

Date 14/2/17