

# Statement of Services

---

*Property Factors (Scotland) Act 2011*

*Written Statement of Services*

## **Introduction**

Shire Housing Association Limited is a registered property factor as defined within Section 2 of the Property Factors (Scotland) Act 2011.

The Act sets out a Code of Conduct containing minimum standards that all property factors must comply with by law. If we do not comply with the code it is open to a homeowner to apply to the Homeowners Housing Panel for a determination under section 17 of the Act. The Panel has the power to issue a property factor enforcement order if it feels that we have failed to comply with the code or otherwise failed to carry out our duties as property factor.

## **Our Authority to Act**

In some cases our authority to act as your property factor is set out within documents called Title Deeds and the Deed of Conditions that you received when you bought your home. This normally applies to properties that were built by the Association after 2002. In other estates we have written to all owners to seek a mandate from the majority of owners that allows us to act as property factor/estate manager. We repeat this exercise from time to time as a matter of good practice. The last time we contacted owners in this way was in 2012.

The decision to appoint the Association was made by a simple majority of owners within your estate but it should be noted that the decision is binding on all residents in terms of the responsibility to pay a single share of the cost of providing services.

## **Services**

We will provide a range of care services to homeowners that includes:

- Administering the landscape maintenance service that covers common areas and open spaces within estates that are part owned and managed by the Association.
- The inspection of landscaped areas and instruction of works to the contractor in accordance with the contract specification.
- Procuring services from contractors and consultants that offer value for money.
- Administering payments to contractors and consultants.
- Preparing and issuing annual invoices to affected homeowners.
- Processing payments and recovering debts.
- Dealing with enquiries relating to the factoring service.

## **Cost of Billing Arrangements**

The services we provide in respect of the maintenance of open spaces requires input from staff within the Association and also from specialist consultants. We aim to make sure that the administration/factoring fee we charge is reasonable and represents value for money to homeowners. The administration fee is reviewed annually by our Board.

## **Cost of Works**

We detail the cost of undertaking landscape maintenance works in each homeowners invoice pack. This details the core activities that will be undertaken by the contractor and includes the following items where they are required.

- Litter collection
- Weed control
- Grass cutting
- Shrub maintenance
- Tree maintenance
- Hedge/woodland maintenance
- Repair works

## **Calculation of Charges**

Each year we calculate the total cost of providing open space maintenance services for each estate. This is then divided by the total number of houses in the estate. For example if the total cost of works for the year was £1,000 and the total number of houses was 100 we divide the cost by the number of houses  $1,000/100 = 10$ . Each owners share would therefore be £10.00 plus the administration charge.

## **Frequency of Billing**

We will issue an individual invoice to each affected owner on an annual basis usually during August after the previous year's costs have been calculated.

## **Payment Methods and Debt Recovery**

There are a number of ways to pay your account:

### By phone

You can call the Association on 01290 421130 to pay your account by debit card.

### At the bank

You can use the giro payment slip attached to your invoice to pay your account at the bank of your choice. Please note that this slip cannot be used at the Post Office.

### By cheque

You can send a cheque to the Association at our office. The address is given at the end of this statement.

### At our office

We can accept your payment if you choose to call in person at the office. For security reasons we would prefer payments to be made by card or cheque.

## **Debt Recovery**

We will adopt a sympathetic approach to owners in financial difficulties provided that we are informed of any problems at an early stage and some agreement around repayment can be reached.

We will always advise individual homeowners of our intention to take further debt recovery action, what that will be and the legal basis that we are using to take the action.

We will not take legal action against a homeowner without first taking reasonable steps to resolve the issue. Where legal action is taken we will seek to recover all of our costs such as legal expenses.

## **Complaints**

We have adopted a complaints handling procedure that aims to provide a quick, simple and streamlined process for resolving complaints.

The complaints process provides two opportunities for us to resolve complaints internally

- Front line resolution
- Investigation

Front line resolution is designed to deal with issues that are straightforward and easily resolved requiring little or no investigation. Complaints of this nature can be addressed by any member of staff, or alternatively referred to the appropriate point for frontline resolution. We will aim to take the necessary action to resolve the complaint quickly, which will usually be within 5 working days, unless there are exceptional circumstances.

Investigations stage: deals with issues that have not been resolved at the frontline or that are complex, serious or high risk. We will provide a definitive response to the complaint within 20 days following a thorough investigation of the points raised.

## **Homeowner Housing Panel**

Where a homeowner considers that the Association, acting as property factor, has failed to carry out its factoring duties or failed to comply with the Code of Conduct, they

have the right under Section 17 of the Property Factors (Scotland) Act 2011 to make an application to the Homeowner Housing Panel for a determination.

Before taking a complaint the homeowner must notify us of the reasons why they consider we have failed to carry out our duties or failed to comply with the code of conduct.

We will keep a record of all complaints made by homeowners and comply with any request for information from the Homeowner Housing Panel that relates to an application from a homeowner.

### Contact Details

Homeowner Housing Panel  
Europa Building  
450 Argyle Street  
Glasgow  
G2 8LH

### Responding to Enquiries

#### By Telephone

We will try to resolve your enquiry there and then. If you need to speak to a specific member of staff who is not available at the time we will return your call within one working day.

#### Written Enquiries

We will respond to written enquiries within 5 working days. Letters will be acknowledged on the day of receipt.

#### Enquiries made in person at our office

If you have an appointment you will be seen within 5 minutes of the specified time. We will provide facilities for confidential discussions. Appointments for staff who are not immediately available will be arranged to take place within 5 working days.

## **Declaration of Interest**

The Association holds legal title to all of the open spaces it maintains even though it is classed as common ground within individual homeowners Deed of Conditions.

## **Changing Factor**

In most circumstances the factoring service provided can be brought to an end by either the owners within an estate or the property factor.

A change can only be made if a majority of owners within an estate vote in favour of a new proposal. Further advice on this process can be obtained by contacting the Association.

## Contact Details

Registered Office

Shire Housing Association Limited

Netherthird House

Netherthird

Cumnock

KA18 3DB

Telephone: 01290 421130

Email: [info@shirehousing.com](mailto:info@shirehousing.com)

Office opening times

Monday – Thursday 8.45 am – 4.45 pm

Friday 8.45 am – 4.00 pm

Property Factors Registration Number: PF000373