

# Scotland Factoring Newsletter



2022



Welcome to our newsletter for our factored homeowners.

In our last newsletter we said that we would be coming out to meet with you, who could have foreseen the challenging year we were to have. I hope you have all been able to keep safe and well.

As lockdown eases and we start to see a possibility of getting around the country, we will aim to set up local consultation sessions towards the end of the year and discuss how we develop the factoring service.

We really want to hear about what you need most from us, several of you responded to our Customer Satisfaction Survey and we want to improve our understanding of where we can get better in terms of value for money.

Please send any feedback you may have to  
**[PropertyFactoringScotland@homegroup.org.uk](mailto:PropertyFactoringScotland@homegroup.org.uk)**

Best wishes

*Karen*



Following your feedback from our last customer satisfaction questionnaire, we produced an action plan to bring you the changes you asked for. Within this edition, we would like to tell you more about these.





# Revised Property Factors Code of Conduct

## The legal stuff

The Scottish government over the past couple of years have been reviewing the Code and have carried out public consultations, resulting in a new and improved revised edition that is now easier to understand.

This new code came into action on 16th August 2021 and replaces the original code which applied from 1 October 2012. All registered property factors are required by law to ensure compliance with the code in terms of section 14(5) of the Property Factors (Scotland) Act 2011 (the 2011 Act).



## What is the Code?

The Code sets out minimum standards of practice for registered property factors, encouraging transparency in the way that they conduct their business in connection with the management of common property or the maintenance of land as detailed in the homeowner's title deeds.

## Who does the Code apply to?

- This Code applies to all 'property factors' as defined by section 2(1)(a)-(d) of the 2011 Act who are entered on the register under section 1 of the 2011 Act.
- Property Factors means property and land managers operating in Scotland, whether they are private businesses, local authorities, or housing associations (the definition of 'property factor' is contained in section 2(1) of the 2011 Act).
- Section 14(5) of the 2011 Act indicates that a registered property factor must ensure compliance with the Code in force at that time.
- Section 2(2) of the 2011 Act indicates who is not a property factor. A person is not acting as

property factor if they manage or maintain the common parts of land on behalf of a property factor, where that property factor has been engaged to act in relation to the same common parts of land. These persons are not subject to the requirements of the Code.

- The requirements of the Code do not apply to arrangements where homeowners collectively choose to undertake ad-hoc repairs without using a property factor or self factor the common parts of their properties, for example, owner associations established by the development management scheme (within the meaning of the Title Conditions (Scotland) Act 2003), or any other circumstances provided for under section 2(2) of the 2011 Act.

## What is not covered within the Code?

The Code does not specifically set requirements on how a property factor should act in circumstances that may arise out with that business arrangement with homeowners, for example, neighbour disputes about noise or anti-social behaviour or a property factor's business arrangement with any other third parties.







## What does this mean for Home Group?

The changes made by the Scottish Government have meant that we needed to review our current Written Statement of Service to make sure it remained compliant with the Code of Conduct, this required us to work on areas of our Written Statement to update them, and also tighten up on some areas to include information that had not been available in previous versions.

During the consultation process with the Scottish Government we attended various open meetings with representatives from both the private sector and other registered social landlords to discuss and voice our opinions on the proposed changes that the Scottish Government wanted, homeowners were also invited to comment by the Scottish Government.

The work to bring our Written Statement in line with the new Code began in late 2019 when the Scottish Government first proposed the changes this involved a complete review of the Written Statement and the Schedules and we feel that it is now more robust and informative, during the Government consultation a number of factors stated that they would be passing the cost of the work to bring their Written Statements in line with the new Code to their customers – Home Group have taken the decision not to pass the cost on to customers.

We have ensured that our Written Statement is compliant with the new Code and ensure that we operate in line with the new changes, we also aim to remain clear and transparent in our undertakings as a Property Factor.

As a Property factor we consider the requirements of the Code when instructing third parties to undertake business on their behalf and/or making decisions/undertaking actions which may have implications for homeowners.



## Avoid financial fraud

There is a new way to avoid financial fraud, a secure and easy to remember phone number to contact your bank on to avoid scams. This scheme could prove to be the safest way for customers to contact their provider if you have suspicions and concerns about your accounts, or even if you are struggling to find a customer service number.

Stop Scams UK and Global Cyber Alliance have launched the UK wide **159** call service, which is designed to guarantee consumers a safe route to contacting their banks.

The idea is to help those who believe they have been contacted by scammers claiming to be their bank, or by fraudsters who encourage them to transfer money. Currently, banks that cover over 70% of UK current account customers are signed up to the scheme at launch, more are expected to follow.



### Call 159 if you encounter the following:

Someone contacts you claiming to be from your bank – even if they do not seem suspicious.

You are contacted by someone claiming to be an authority figure (such as the police) and told to transfer money, even if the request seems genuine.

You receive a call about a financial matter and it appears suspicious.



## Fire safety

If you are a homeowner in Scotland, you will need to ensure your home meets the new standard for interlinked fire and smoke alarms.

The Scottish Government introduced this new fire and smoke alarm requirement for all homes, bringing them into line with the standards for the private rented sector. This includes private homes (known as owner occupied) and those in the social rented sector.

Currently, there is no government funding available to homeowners to fit the required detectors, unless you are elderly or disabled, then you may qualify for assistance from your local Care and Repair service. Details of the local offices are detailed here

[careandrepairsotland.co.uk/office-locations.html](https://careandrepairsotland.co.uk/office-locations.html)

For more detailed information about the new regulations you can visit [mygov.scot/firealarms](https://mygov.scot/firealarms)

As a social landlord and factor, we carry out fire risk assessments in communal areas. The work we carry out includes:

- Checking that all internal and external escape routes are free from obstruction.
- Checking that all internal and external escape routes are free from combustible materials.
- Ensuring that all emergency exits are clearly signed, and signs are free from damage.
- Check that all opening devices on fire exits clearly signed and do they work properly.
- Check that all electronic release mechanisms on escape doors work properly (if fitted).
- Check that self-closing fire doors are in good condition and in working order (not wedged open, close fully into rebate, gaps no larger than 5mm, smoke seals in place around edges.
- Ensure where appropriate that all fire extinguishers and fire blankets are in place, visible and defect free.
- Ensure that the evacuation assembly point is clearly identified, and any emergency information required by the Fire Service is readily accessible.

For advice on fire safety, or to request a Home Fire Safety Visit, contact The Scottish Fire and Rescue Service on **0800 0731 999**

## Buildings Insurance

### Is your buildings insurance up to date?

Did you know that homeowners have a statutory duty to insure against prescribed risks, such as fire or flood (see section 18 of the Tenements (Scotland) Act 2004, and the Tenements (Scotland) Act 2004 (Prescribed Risks) Order 2007 (SSI 2007/16).

We have issued our Block Buildings Insurance Certificate out to all owners who pay for this cover as part of their fees.

If you live in a flat or tenement and would like further information in regard to our policy please e-mail **PropertyFactoringScotland@homegroup.org.uk** for more info.

**Please note that this is buildings only cover, we are unable to provide contents cover.**



## Why do I have to pay, when I own my property?

When you have purchased your property, it is the responsibility of your solicitor to provide basic information about factoring arrangements.

The Title Deeds or Deed of Conditions which forms part of your property titles provides the appointment of professional managing agents or Factors to manage the common parts.

Home Group was appointed to take on this role either through the provision in your Title Deeds, those of the Tenements (Scotland) Act 2004, the Title Conditions Act 2003, or by virtue of custom and practice.

Home Scotland organise for a grounds maintenance service to be delivered within the development and all related costs involved in doing so are shared out in line with those terms set out within each owner's Title Deeds.

Up until 2013, the costs of providing this service were always met by the Association. However, following the implementation of the Property

Factor (Scotland) Act 2011, we could no longer continue doing this.

Home Group have responsibility for the ground's maintenance within the development area therefore your Council Tax will not cover these costs.

All owners are charged a management fee to cover the costs of the services we provide. These fees are reviewed annually.

Home Scotland is a registered Property Factor, with property factor number PF000277, and being a Scottish Registered Charity with Charity Number SC005247, we provide factoring services to Homeowners in Scotland set out in our Written Statement and the requirements of the Property Factors (Scotland) Act 2011 and its Code of Conduct.

## Energy cost increase

You will be aware of energy price increases coming up and may be worried about how this will affect you, we have outlined a few ways you will be able to get support if you are worried about the increase:

**Warm Home Discount** – this is a one-off payment of £140 which gets taken off your energy bill between October and March. This can be applied for through your supplier. Every energy provider has different criteria, time of year when you can apply and not all providers will offer this discount.

**Winter Fuel Payment** – If you're over the age of 65, you could be entitled to extra money towards your energy bills with the Winter Fuel Payment.



Home Energy Scotland can help whatever your situation, it's a free service to help you reduce your energy bills, contact them on **0800 808 2282** or visit [homeenergyscotland.org](https://homeenergyscotland.org) for more information.

# You Said, We Did

We love to hear our customer's feedback – complaint or compliment it means we can work with you to make your home and community a better place.

Your feedback also helps us with our regulatory customers satisfaction report, which we do as part of our work with the Scottish Housing Regulator each year.


Last year, we sent our customer satisfaction questionnaire by email and post to try and

make it easier for as many of our customers to complete this as possible.

The questionnaires were completed by 90 customers which was great. However, this only gave us a response rate of 12%. We would love to hear back from more of you this year.

When carrying out the analysis from last year's questionnaire we identified some common themes as details in the table below.

We are continually looking to improve our service and we hope some of the actions listed below will show you our commitment.

You said		We did
<b>Tell us where your money goes</b>	Home Group should not make a profit; increases are too high and there should be no increase.	Our annual increase is lower than our benchmark and our charges are also much lower than those charged by the private sector. We do not make a profit from this service.
<b>Deliver a reliable repairs service</b>	Not happy with the garden maintenance.	We are in regular conversation with grounds maintenance contractors and continue to respond quickly to any issues raised.
<b>Help communities grow</b>	Could see the justification of such a rise, but nothing on the estate has improved.	We are in the process of procuring a new contract for both our grounds maintenance and communal cleaning services which we will implement in 2022.
<b>Work together with customers and partners</b>	Why after years of owning property, do we now have to pay. 	Following the commencement of the Property Factors Act by the Scottish government, we are required by law to charge for work that was carried out in the past with no charge. We carried out consultation meetings when the act first started. Sometimes, it may mean that the area of common land we look after may not be near your property but still within the development boundary which your title deeds state you have to contribute towards the upkeep of.
<b>Care about you</b>	I think more involvement between Home Group colleagues and customers would be welcomed. Full understanding of factoring policy is needed in understandable jargon.	We had planned to undertake meetings with customers over the summer to explain factoring and charges. We will write to you to invite you to these meetings once we are able to reschedule later in the year.

## Written Statement

By now you should have received your copy of the new Written Statement



It is really important that you read our new Written Statement so you understand any changes that have been made, if you have any questions please feel free to email us.



For more information on Scotland Factoring, email [PropertyFactoringScotland@homegroup.org.uk](mailto:PropertyFactoringScotland@homegroup.org.uk) or visit [homegroup.org.uk /factoring](http://homegroup.org.uk/factoring)