



Property Factors (Scotland) Act 2011

2011 asp 8

PART 1

REGISTRATION OF PROPERTY FACTORS

Removal from register etc.

9 Effect of refusal to enter in register or removal from register

- (1) Subsection (2) applies where the Scottish Ministers—
- refuse under section 4(5) an application for entry in the register by a person who is operating as a property factor on the day on which section 3 comes into force,
 - remove a property factor from the register under section 4(7), or
 - remove a property factor from the register under section 8(1).
- (2) After the relevant date—
- no costs incurred by the property factor in respect of work instructed after the relevant date are recoverable,
 - no charge imposed by the property factor which relates to a period after the relevant date is recoverable,
 - homeowners may appoint new property factors (or decide to manage their properties without appointing a property factor) in accordance with the procedures made in relation to such decisions in their title deeds or, as the case may be, the Tenement Management Scheme,
 - the property factor may not lodge a notice of potential liability for costs under section 13(1) of the Tenements (Scotland) Act 2004 (asp 11) in respect of work instructed after the relevant date.
- (3) The Scottish Ministers must, as soon as practicable after the relevant date, give public notice of—
- the refusal or removal mentioned in subsection (1)(a), (b) or, as the case may be, (c),
 - the relevant date, and
 - the effect of subsection (2).

Changes to legislation: There are currently no known outstanding effects for the
Property Factors (Scotland) Act 2011, Section 9. (See end of Document for details)

Commencement Information

II S. 9 in force at 1.7.2012 by S.S.I. 2012/149, art. 2, **sch.** (with art. 3)

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There are currently no known outstanding effects for the Property Factors (Scotland) Act 2011, Section 9.