

NORTH VIEW Housing Association

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North View is a registered Scottish charity – charity registration number SC032963

POLICY

FACTORING

Passed:-	23/3/2022	Review Date:-	Feb-2025
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All North View policies and publications can be made available on tape, in Braille, large print and community languages.

For further details please contact us on 0141 634 0555 or email us on enquiries@nvha.org.uk

1.0 INTRODUCTION

1.1 This Policy reflects the terms of Section 14 of the Property Factors (Scotland) Act 2011.

1.2 In accordance with the Act, North View Housing Association:

- is registered as a Property Factor – *registered number PF000246*;
- has re-registered every 3 years;
- submits annual returns to the Scottish Government to update their register of all factored properties and land in Scotland;
- ensures compliance with the Code of Conduct for registered property factors (revised in August 2021), which sets out the overarching standards of practice that the Association should apply.

1.3 The Association will also meet the specific requirements of the Scottish Housing Regulator as set out in the Scottish Social Housing Charter (specifically charter outcomes and standards 6 – *Neighbourhood and Community* and 13 – *Value for Money*) and the Regulatory Standards of Governance and Financial Management.

2.0 AIMS AND OBJECTIVES

2.1 Our aim is to provide an efficient and effective factoring service to owners who live within the Windlaw area.

2.2 Through delivering our factoring service, the Association aims to maintain the asset value of both owners and North View properties.

2.3 Our objectives are as follows:

- to clearly define the respective duties and responsibilities of both owners and the Association;
- to provide clear information to owners on our factoring service;
- to regularly monitor and review our factoring service;
- ensure value for money;



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NORTH VIEW HOUSING ASSOCIATION

29A Stravanan Road, Castlemilk, GLASGOW G45 9LY

Tel:- 0141 634 0555 Fax:- 0141 631 3231 e-mail:-

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- to encourage owners to participate in the factoring process and decisions that affect their property;
- to provide owners with opportunities to participate in major works programmes being carried out by the Association.

3.0 PROPERTY MANAGEMENT SERVICE

- 3.1 Where the Association is the appointed factor, we provide a property management service for property owners within Windlaw.
- 3.2 Property management includes providing a maintenance, repair and management service for the common parts of buildings. It also includes common ground and access roads within each development area and within Windlaw itself.
- 3.3 The Association provides the following property management services:
- routine and cyclical maintenance – repair and renewal to the common parts;
 - carrying out emergency repairs necessary for the health and safety of the occupants and the public or the safety of the property;
 - authorised major repair works;
 - additional services – including buildings insurance, managing maintenance contracts (for example, landscape maintenance);
 - co-ordination of payment for common electricity within the block.

4.0 TITLE DEEDS

- 4.1 The Title Deeds define the location of an owner's property and details the rights and responsibilities for their property and the shared responsibilities that each owner has within the block.
- 4.2 The Deed of Conditions included within the Title should specify:
- the owners responsibilities for the management and maintenance of common parts;
 - specify how decisions should be made;
 - specify how costs are to be allocated between owners;
 - the arrangement for paying for maintenance and repair.
- 4.3 Some Title Deeds for flats may not detail how decisions should be taken or describe all common parts. When this happens, the provisions of the Tenement (Scotland) Act 2004 are applied.



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5.0 WRITTEN STATEMENT OF SERVICES

5.1 The Property Factors (Scotland) Act 2011 requires Landlords to provide each owner with a Written Statement of Services which sets out the terms and service delivery standards of the arrangement in place between the owner and the Association. This Statement includes the Association's Property Registration Number as a registered Property Factor. The schedule associated with the Written Statement of Services will differ in content for owners of houses and flats and be consistent with the Title Deeds for the property.

5.2 The Association will provide a Written Statement to:

- any new owner, within 4 weeks, of the Association agreeing to provide the Factoring Service to them;
- any new owner, within 4 weeks of being made aware of a change in ownership of a property where the Association already provides the factoring service;
- any owner at the earliest opportunity, but not exceeding one year, if there is any substantial change to the terms of the written statement.

5.3 In preparing the Written Statement for each property, the Association will take account of any conditions within the Title Deeds and any other formal document with legal effect or any relevant legislation included within the Title Conditions (Scotland) Act 2003 and the Tenements (Scotland) Act 2004.

5.4 The Written Statement will include:

- a statement on what authority we have to act as factors to the owners within the property;
- the core services that the Association provides. This will include the Association response times for both common routine and emergency works;
- the non-core services the Association provides, the charges and how they are notified and calculated;
- the management fee charged;
- the percentage share of charges for common works and services which are the responsibility of the owners;
- details of the common insurance policy;
- details of the invoicing and payment collection process;
- the Association's Debt Recovery Policy;
- the Association's complaints process.

5.5 Where there is a significant change to the factoring services provided to owners



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the Association will reissue owners with a new Written Statement.

6.0 MANAGEMENT FEE

6.1 The Association will charge an annual Management Fee which covers the costs of:

- having access to report common repairs and discuss factoring issues with the Association;
- liaising with contractors to ensure common repairs are carried out timeously.
- pre and post inspections where required;
- arranging, monitoring and supervision of cyclical and major repair works as appropriate;
- reviewing insurance premiums;
- administration of common insurance claims;
- Co-ordinating, managing and apportioning common services costs;
- issuing invoices and updating owners accounts and debt recovery management where necessary;
- access to the Association's Welfare Rights services;
- dealing with close maintenance and antisocial behaviour complaints that an owner may have in relation to a North View tenancy;
- providing an annual skip service.

6.3 The Management Fee will be reviewed annually taking account of the costs incurred from the previous year in providing the service and projected for the coming year.

7.0 CHARGES

7.1 The Association will invoice owners for its factoring service on an annual basis.

7.2 Information on payment methods will be included on the invoice sent to the owner.

7.3 The charges will include:

- the Management Fee;
- the costs of the common repairs/services as set out within the Title Deeds and Written Statement for each property factored.

7.4 The cost for any agreed common work of a cyclical or major repair nature will be invoiced at the time of completion of the works.



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- 7.5 The Association may, at its discretion include owners' properties in any non-common work of planned maintenance provided that all sums due in respect of the work is paid upfront and there is no risk to the Association.
- 7.6 If owners have cause to call out a contractor for an emergency common repair, they must ensure that the repair is common and an emergency, otherwise the Association will seek to recover all costs incurred as a result of the call from the owner.

8.0 INSURANCE

- 8.1 On an annual basis, the Association will write to all owners to invite them to participate in the Association's Block Insurance Policy. Owners will be requested to complete a simple form which asks whether they wish to participate or not. If the property is a flat and they do not wish to participate, the owner will be asked to provide satisfactory proof of adequate alternative insurance cover. Where they do not provide satisfactory proof, they will be included in the Block Policy and invoiced accordingly. If the property is a house and the owner does not wish to participate or fails to respond, they will then be removed from the Block Policy and are not required to provide proof of insurance.
- 8.2 The calculation of the insurance charge will be the total cost divided by the total number of properties (rented stock plus owner occupied properties). We will provide each owner, in writing, with clear information showing insurance premium amount, the name of the company providing the insurance cover and a summary of the terms of cover.
- 8.3 Where applicable, owners will usually be charged annually for buildings insurance for the forthcoming year in January/February. If there is a change in ownership there will be a refund of any unused cover and the new owner will be invited to participate for the remaining term of cover.
- 8.4 Where an owner participates in the common Insurance Policy, the Association will progress insurance claims on behalf of owners providing that we were made aware of the problem and that one of our approved contractors carried out any subsequent work required.

9.0 RESPONSIBILITIES

- 9.1 The Association will deliver the factoring service as follows:



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- the Finance Officer will be responsible for the delivery of the factoring service including the calculation of all the costs to be recharged to owners;
- Maintenance staff will deal with identifying and processing common works, cyclical works and any major repair works, including notification and consultation with owners;
- Finance staff will be responsible for issuing invoices and letters to all owners; updating payments to owners' accounts, carrying out debt control/recovery as necessary and changes of ownership;
- the Director will deal with complaints, as per the Association's Complaints Procedure.

10.0 CONSULTATION

- 10.1 The Association will consult with owners before providing work or services which will incur charges in addition to the core services and where the cost of any particular work is above the threshold stated within the owner's Written Statement.
- 10.2 Owners will be included with the Association's Satisfaction Survey which is carried out every two years.

11.0 MAINTENANCE AND REPAIRS

- 11.1 The Association will have in place procedures to:
- allow owners to notify us of matters requiring repair, maintenance or attention and will inform owners of progress of this work, including estimated timescales for completion;
 - deal with emergencies and for giving contractors access to properties to carry out emergency repairs wherever possible;
 - show how and why we have appointed contractors and that they have public liability insurance.
- 11.2 Separately from our factoring service, the Association will offer owners the opportunity of opting into property component contracts where appropriate (for example, window, kitchen and bathroom replacements).

12.0 FINANCIAL OBLIGATIONS

- 12.1 We aim to ensure owners know what it is they are paying for and how the charges were calculated. Our invoices provide a clear list of the costs incurred



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for which an owner is responsible.

- 12.2 If an owner decides to terminate their arrangement with us after following the procedures laid down in the Title Deeds or in legislation, or a property changes ownership, we will make available on request to the owner a statement of their account which will summarise invoices charged, payments made and the balance on their account.
- 12.3 A factoring statement will be provided along with any additional invoices being issued to an owner, at a minimum within three months of termination of the arrangement unless there is good reason not to (e.g. awaiting final invoices relating to works carried out).
- 12.4 We will return any funds due to owners (less outstanding debts) automatically at the point of settlement of final bill following a change of ownership or property factor.
- 12.5 We will issue to owners, annually, a factoring invoice detailing a breakdown of charges made and a description of the activities and works carried out which are being charged.

13.0 DEBT RECOVERY

- 13.1 Following the issue of invoices, the Association will monitor all payments into owners' accounts.
- 13.2 We have a clear written policy and procedures for debt recovery which outlines the steps the Association will take when an owner's account falls into arrears.
- 13.3 Where an owner expresses difficulty in making payments, we will offer the services of the Association's Welfare Rights Officer and signpost the owner to agencies which may be able to assist them with advice.
- 13.4 We will actively pursue the recovery of debt left by owners who no longer receive our factoring service.
- 13.5 The Management Committee will be asked to approve any court action that may be required in pursuing a debt.

14.0 COMPLAINTS



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- 14.1 The Association has a clear written procedure for dealing with complaints which outlines the steps we will take when an owner is dissatisfied with the factoring service we provide.
- 14.2 We will record all complaints received and details of the actions required and taken and the outcome of any investigation into a complaint on the HomeMaster IT system. We will aim to use this information to improve our factoring service.
- 14.3 We will comply with any request for information from the First-tier Tribunal for Scotland Housing and Property Chamber (FTT), Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator (SHR) in respect of any complaint made to them.
- 15.0 REVIEW**
- 15.1 This Policy will be reviewed every 3 years or in response to any change in legislation or recommendations made by the FTT, SPSO or SHR

End

reviews and amendments

14/12/16 - Policy reviewed.
23/3/22 - Policy reviewed.



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