



# 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).

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**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)

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### Commencement Information

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

**Changes to legislation:**

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