Property Factors (Scotland) Act 2011

Annual Update of Properties and Land Portfolio

Guidance

Version 2
01 April 2014
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What is the “Annual Update”?  

Once a year, between 1 April and 30 June, all registered property factors are required to confirm which properties and land they managed in the preceding year. This involves either:

a) Making any changes to the information previously supplied, or  
b) Confirming that there have been no changes since the information was last supplied.

Providing this information is a legal requirement under section 7(3) of the Property Factors (Scotland) Act 2011, and failing to comply is a criminal offence under section 7(6) of the Act. See Annex A (page 24) at the end of this document for the relevant extract from the legislation.

When do I need to complete the Annual Update?  

You must complete the update (or confirm that no changes are required) between 1 April and 30 June 2014.

Which time period does the current Annual Update relate to?  

It relates to the period from 1 April 2013 to 31 March 2014. If your individual date of registration was after 31 March 2013 it relates to the period from date of registration to 31 March 2014.

What do I need to do?  

First, you should review your property and land list on the Register and establish if you will need to make changes to your 2013/14 portfolio of properties and land.

If you don’t need to make any changes you should send an email to the Registration Team confirming this. No further action is then required.

If you do need to make changes, you should follow the step-by-step instructions in this guidance.

How do I decide if I need to make changes?  

If you have taken on the management of any new properties/lands between the 1 April 2013 (or from the date you registered if this was after the 1 April 2013) and 31 March 2014, you will need to update your 2013/2014 portfolio to include these properties/lands.

However, if you managed certain properties/lands at any time between 1 April 2013 and the 31 March 2014 but the arrangement came to an end before 31 March 2014, you should not remove these properties/lands from your 2013/2014 portfolio. This is because the portfolio must include all properties/lands for which you acted as a property factor during that period.
PURPOSE OF ANNUAL UPDATE

What information do I need to provide?

See Annex B (page 25) for further information including a note for local authority and housing association property factors.

Do I have to pay a fee to complete the annual update?

No

What is a “Portfolio”?

On the Property Factor Register, a portfolio acts as a virtual folder relating to a specific financial year, in which property factors include the list of properties and land that they managed in the course of that year.

If you need to make changes to your property and land list, the portfolio you need to create or amend for this annual update is for 2013/14.

What will happen to the information that is already on the register?

If you registered as a property factor before 1 April 2013 and factored properties at that time, you will have created a portfolio for 2012/13. During the current annual update period, if you need to make changes to your property and land information, you will need to create a portfolio for 2013/14 and append a list of all the properties and land that your organisation factored within this time period. When you complete the annual update process, we will replace your 2012/13 portfolio with your 2013/14 portfolio on the live register.

If you did not register until after 31 March 2013 and you factored properties at the time of registration, you will have created a 2013/14 portfolio. If you need to make changes to your properties and land information in your organisation’s portfolio, your 2013/14 portfolio will have to be set to draft to allow you to edit the portfolio. This means that your organisation’s property/land list will temporarily be removed from the register during the annual update period until you complete the update.

What if I need help or advice?

Contact the registration team using the details below:

Angela Cameron 01382 - 427 514 angela.cameron@scotland.gsi.gov.uk
Nicola Hawthorn 0141 - 271 2481 nicola.hawthorn@scotland.gsi.gov.uk
Claire Tosh 0131 - 244 7943 claire.tosh@scotland.gsi.gov.uk

Or send an email to: propertyfactorregister@scotland.gsi.gov.uk

Access the Guide to Registration and the File Upload Specification (for bulk upload using a csv file) at:

If you need to make any changes to your portfolio of properties/lands for 2013/14 you can use the following checklist to make sure you have completed the annual update process correctly:

**Please Note:**

If you don’t need to make any changes to your property and land list, please email the Registration Team at propertyfactoregister@scotland.gsi.gov.uk to let them know that you do not need to make changes to your property and land list.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Have you created a portfolio for 2013/14?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Have you updated your properties list?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Have you updated your land list?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Have you included all relevant addresses in your 2013/14 portfolio?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Have you included all relevant land records in your 2013/14 portfolio?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Have you changed the status of your 2013/14 portfolio to pending approval?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The following flowchart will direct you to the pages in the guide that will help you to complete the annual update.

**Useful Pages in Annual Update Guide**
- If you have forgotten your password, see page 8
- If you want to use the search facility, see pages 17-20
- If you want to delete property/land records, see pages 21-22

**Flowchart**

1. **Does your organisation currently factor properties/land?**
   - **NO**
     - Email the Registration team at propertyfactorregister@scotland.gsi.gov.uk to let them know that your organisation does not factor properties/land.
   - **YES**
     - **Do you need to update your property/land list?**
       - **NO**
         - Email the registration team at propertyfactorregister@scotland.gsi.gov.uk and let them know that your property/land list remains the same.
       - **YES**
         - **When was your organisation approved on the register?**
           - **Before 1 Apr 2013**
             - **Do you have a large number of property/land records to add to the register?**
               - **YES**
                 - You should complete the following pages of the annual update guide: Pages 7, 9, 13-15, 23
               - **NO**
                 - You should complete the following pages of the annual update guide: Pages 7, 9-12, 16, 23
           - **After 31 Mar 2013**
             - **Do you have a large number of property/land records to add to the register?**
               - **YES**
                 - You should complete the following pages of the annual update guide: Pages 7, 16, 13-15, 23
               - **NO**
                 - You should complete the following pages of the annual update guide: Pages 7, 10-12, 16, 23

**Useful Pages**
- If you have forgotten your password, see page 8
- If you want to use the search facility, see pages 17-20
- If you want to delete property/land records, see pages 21-22
A. LOGIN PROCESS

1. To access the register, click on the following link:

www.scotland.gov.uk/propertyfactorregister

2. Click on the Property Factor Login tab

The Scottish Property Factor Register

What is the register? Account Registration Property Factor Login Terms And Conditions

Property Factor Account Registration

All residential property and land managers operating in Scotland after 1 October 2012 will have to comply with the Property Factors (Scotland) Act 2011. This will apply to private sector businesses, local authorities or housing associations who are providing factoring services to homeowners. Compliance with the Act includes submitting an application to be included on the Property Factors Register. Relevant organisations can request to apply for registration online by completing the application form below.

Guidance providing further information about the application process is available on the Scottish Government website.

Fields marked with an * are mandatory

3. You will now be prompted to enter two sets of details:

4. The Username is the email address of the primary contact person for the register. This is the same email address the annual update reminder was sent to.

5. The Password that you have created. To remind you, the password you created must have contained at least one:

   - English lowercase character (a-z)
   - English uppercase character (A-Z)
   - Numeral (0-9)
   - Non-alphanumeric character (character other than a-z, A-Z, 0-9).

6. Instructions for resetting forgotten passwords are on the following page (page 8).
If you have forgotten your password, you have the option to reset it.

1. Click on the **Property Factor Login** icon.

2. Then click on the **Forgotten your Password?** Icon.

3. Enter the **username** for the register (this is the email address of your primary contact) and press the **Continue** icon.

4. An email will be sent to the primary contact with details on how to reset the password.

**Please Note**

If you enter an incorrect password more than 3 times, your account will be locked and you will be unable to reset your password. If this is the case, you will need to contact a member of the Registration Team at propertyfactorregister@scotland.gsi.gov.uk
C. CREATING A PORTFOLIO

If your organisation was not approved on the register until after 31 March 2013, and you had a property/land list at the time of registration, you will have already created a portfolio for 2013/14. This means you will not have to complete this section.

To create a portfolio, you will need to:

1. Click on the tab on the left hand side of the screen then Add New:

2. Select the reporting year and click on the Save icon

3. Leave the portfolio status at Draft until your property/land records are Included in your portfolio.
If you maintain a small number of properties, you may prefer to enter them in manually. If you maintain a large number of properties, you may wish to use the bulk upload option. For this option, go straight to page 13.

1. Click on the **Properties** tab on the left hand side of the screen.

2. Click on the **Add New** icon on the right hand side of the screen.

3. If you have the postcode for the address, you can use this to find the address for you. Enter the postcode into the **Search Property by Postcode** box then click on the **Find Address** icon.

4. Select the correct address from the **drop down menu** to populate the address in the appropriate fields and click on **Save** then **New** to add another record.

5. If you don’t have the postcode, you can enter the information in manually. Any field donated with a * is a mandatory field and must be completed.

6. The Source System Reference is an optional field that your organisation can use to enter your own internal reference numbers. This may help you to cross reference the information held on the Property Factor Register with your own internal systems.
E. ADDING LAND: INDIVIDUALLY

If you maintain land, you will need to complete the land and property section. In the property section, you should provide the addresses of the customers who are responsible for maintaining the land that is factored.

1. Click on the Lands tab on the left hand side of the screen.

2. Click on the Add New field on the right hand side of the screen.

3. Fill in the required fields as specified in the table below:

Please Note: When recording information in relation to land, only one record is required per development. One development may include several pieces of land that are maintained by the property factor. These areas can be added onto one entry by selecting all the applicable land descriptions or by entering a description into the Other Land Type box.
4. Any field that is denoted with an * is mandatory and must be completed.

5. The Location Description is a free text cell for you to provide a description of the location of the areas maintained within a development. A maximum of 100 characters can be used.

6. If you hold details of the Title Registration Number for the areas your organisation maintains, please enter the details in this field.

7. The Number of Areas Maintained field is the number of areas that are maintained per development.

8. The Number of Householders Billed field is the number of people who receive a bill for the areas that are maintained per development.

9. The Source System Reference is an optional field that your organisation can use if you want to enter your own internal reference number. This may help you to cross reference the information held on the Property Factor Register with your own internal systems. You may also find it useful when you provide the Scottish Ministers with an annual update of the land you act as a property factor for on behalf of homeowners.

10. The Other Land Type field is a free text field for you to add a description of the areas maintained if you feel the land is not adequately described using the tick boxes on the land screen of the register.

11. When you have entered a record on the register, click on the Save icon and then the New icon every time you want to enter another record.

12. Once you have added all your property and land records (if applicable) you need to create a portfolio for the current financial year (see page 25).
Please Note
Organisations who were not approved on the register until after 31 March 2013

If your organisation was not approved on the register until after 31 March 2013 you will be amending your 2013/14 portfolio. If you are creating a CSV file to replace all the property/land records you have on the register, I would recommend that you **Exclude** all your property/land records from your 2013/14 portfolio **before** you upload your new property/land list. This will help ensure that you have the correct number of property/land records included in your 2013/14 portfolio. Please see page 16 for details on how to **Exclude** property/land records from your portfolio.

If your organisation maintains a large number of properties/lands, you may find it easier to upload your property/land records from a file already created from your own internal IT systems.

1. You may for example store all your addresses on an Excel spreadsheet. If you do want to use this method to add your property list to the register, you must make sure the details are recorded in the correct columns or your file may not upload. The columns you should use for your property file upload are as follows:

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address Line 1</td>
<td>Address Line 2</td>
<td>Address Line 3</td>
<td>Town</td>
<td>Region</td>
<td>Postcode</td>
<td>Source System Reference</td>
</tr>
</tbody>
</table>

2. In order for the bulk upload file to work, you **must** enter information into the columns highlighted in red above (columns A and D) as they are mandatory fields. Listed below is an example of a correct file created in Excel.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 3 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source1</td>
</tr>
<tr>
<td>2 4 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source2</td>
</tr>
<tr>
<td>3 5 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source3</td>
</tr>
<tr>
<td>4 6 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source4</td>
</tr>
<tr>
<td>5 7 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source5</td>
</tr>
<tr>
<td>6 8 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source6</td>
</tr>
<tr>
<td>7 9 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source7</td>
</tr>
<tr>
<td>8 10 The Street</td>
<td>The Estate</td>
<td>FORFAR</td>
<td>Angus</td>
<td>DD1</td>
<td>1DD</td>
<td>Source8</td>
</tr>
</tbody>
</table>

3. The **Source System Reference** (column G) can be used if your organisation uses internal reference numbers to identify each property that you maintain. The reference number may help you to cross reference the information held on the Property Factor Register with your own internal systems. The information under this column will not be made public. If you do not wish to use this column, enter an X in column G. If you do not enter any information in this box, your file will not upload onto the register.

Please Note
You can only upload 25,000 property/land records at the one time. If your property/land list is larger than this, you will need to create multiple CSV files with no more than 25,000 records on each file.

Remember to delete your header row as you do not want this to upload onto the register as an address on the register (e.g. Address Line 1, Address Line 2, Address Line 3, Town, Region, Postcode, Source System Reference).
4. Once your file is created, it will need to be converted into a CSV file. To do this, click File, Save As and choose file type CSV.

5. Once you have created your file, click on the or tab on the left hand side of the screen.

6. Click on dropdown box next to the Append to portfolio icon and select the current financial year (2013/14). Please Note: if you do not append your property/land records to your 2013/14 portfolio, your property/land records will be Excluded from your 2013/14 portfolio.

7. Upload the CSV file you have just created, then click on the Browse... icon above.
8. Once you have appended the applicable file, click on the **Upload** icon.

### Property

#### Important information - please read

The time taken for property addresses to upload will depend on the number of addresses being uploaded, the file validity and the current network traffic. A maximum of 25,000 properties can be uploaded at any one time. Files which contain validation errors will be rejected in their entirety and no properties will be added. If you have not received confirmation after 60 minutes please resubmit the file.

Optionally, you can associate the uploaded addresses with a previously created portfolio. Please note that properties can only be automatically added during this process to portfolios of **draft status**.

- Do not close the browser
- Do not click the back button

See the **Help** section for information on file formats.

#### Property file upload

- **Append to portfolio (optional)**
- **File Upload**

Once selected, click the upload button at the top right corner of the screen.

9. If the bulk upload is successful, the following message will appear on the screen:

   Your submission has been successfully received and has been queued for processing.
   Please note this can take up to 2 working days to show within your Property list.
   For further information please contact Angela Cameron, 01382 427514, PropertyFactorRegister@scotland.gsi.gov.uk.

10. If the bulk upload was unsuccessful, the following message will appear on the screen along with a detailed description of the error(s):

   "Files was not processed due to the following error(s):"

   If you require help with your file, please email a member of the Registration Team at PropertyFactorRegister@scotland.gsi.gov.uk who may be able to assist.

### For Information

There is a separate document available to help you create a bulk upload file. You can access this document by clicking on the following link ([http://www.scotland.gov.uk/Resource/0039/00398213.pdf](http://www.scotland.gov.uk/Resource/0039/00398213.pdf)). You might wish to consult with your own internal IT department and give them a copy of this document so they can create the file for you.

### Please Note

If your CSV file has identical entries, the register will only upload **one** of those records.
G. INCLUDING THE PROPERTIES/LANDS IN YOUR PORTFOLIO

Once your property/land records have been added to the register, you will need to go back into the portfolio section to make sure all the applicable property/land records are appended to your 2013/14 portfolio.

1. Click on the tab on the left hand side of the screen.

2. Click on the icon next to your 2013/14 portfolio.

3. Click on the properties and/or land tab at the top of the page. You may see that some of your property/land records are excluded from your portfolio. When properties are excluded, they will not be available on the public register. To include a property in a portfolio, you have two options:

- To include an individual property/land record, click on the word at the side of each address and it will change to say that it is included in the portfolio or;
- If you want to add all the property/land records in a portfolio, click on the icon on the header bar and the properties/land will change from excluded to included.

4. You may find it helpful to use the search facility to find the property/land records that you want included in your 2013/14. You may also want to use the search facility to check you have the correct number of records included in your property/land list. See pages 17-20 for more details on how to use the search facility.

5. If after checking your property/land list you find that there are properties/lands that you want to delete, please see pages 21 and 22 for details on how to delete records.

Please Note: If you want to exclude all properties from your property list, click on the icon to change the status to excluded.
H. USING THE SEARCH FACILITY

The property factor register has a useful search facility that you can use. You may wish to use this facility if you want to:

- Search for property/land records that you want Included in your 2013/14 portfolio.
- To count the number of property/land records that are Included in your 2013/14 portfolio.

1. To use the search facility, click on the tab on the left hand side of the screen.

2. Click on the Edit icon next to your 2013/14 portfolio.

3. Click on the properties and/or land tab at the top of the page.

4. Click on the Search icon at the bottom of the page.
5. A **search facility** box will appear at the top of the page as follows:

![Search Facility Diagram](image1)

**Searching for Addresses**

*Example: High Street, Dundee*

6. On the dropdown box next to **Data Item** select the word **Town** then click on the **Go** icon.

![Dropdown Box](image2)

7. Select a **condition** from the dropdown box. Options are **Contains, Starts With, Is, Is Not**.

![Condition Dropdown](image3)

8. Type the town name in the **Value** box then click on the **Add** icon.

![Value Box](image4)

9. Click on the **Apply Search** icon and the town you selected will appear in the **Filter Entries** box on the right hand side of the screen.

![Filter Entries](image5)
H. USING THE SEARCH FACILITY

10. On the dropdown down menu next to **Data Item**, select the word **Address** and select the **Go** icon.

11. Select a **condition** from the dropdown box. Options are **Contains, Starts With, Is, Is Not**.

12. In the **Value** box, select part of the **street name** then select the **Add** icon.

13. Click on the **Apply Search** icon to reveal your **search results**.

14. To start another search, click on the **Clear All** icon.
H. USING THE SEARCH FACILITY

Searching for Properties that are Included in a Portfolio

15. From the dropdown menu next to Data Item select the word Selected and click Go.

16. In the Value box type the word Included click on the word Add then Apply Search.

17. At the bottom of the page, you will see the number of properties/land records that are Included in your portfolio.

18. To start another search, click on the Clear All icon.
I. DELETING PROPERTY OR LAND RECORDS

If you don’t want particular records to appear on your property or land list on the live register, you simply need to **Exclude** these property or land records from your 2013/14 portfolio. However, you can also delete property/land from the register by carrying out the following instructions.

Before you can delete any property or land record from the register, you must **Exclude** the property/land records from **all** portfolios. If a property or land record is included in a portfolio that has a status of approved or pending approval, you will be unable to edit any property/land records within that portfolio. You can only **Exclude** property/land records from a portfolio that is sitting at draft mode.

1. Go to the portfolio section and select a portfolio and click on the **Edit** icon

2. Click on the **Property** or **Lands** section

3. Exclude all relevant property/land records from the portfolio by clicking on the **Included** icon to change it to **Excluded**.

**Information:**

You may wish to use the search facility on pages 17 to 20 to help you locate the property/land records you want to delete.
1. **DELETING PROPERTY OR LAND RECORDS**

4. Go to the Property or Land section and select all the property/land records you want to delete. You may wish to use the search facility on pages 17 to 20 to help you locate the property/land records you want to delete.

<table>
<thead>
<tr>
<th>Property or Land</th>
<th>Address Line 1</th>
<th>Address Line 2</th>
<th>Town</th>
<th>Postcode</th>
<th>Source System Reference</th>
<th>Last Updated By</th>
<th>Add New</th>
<th>Delete Selected</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>24 High Street</td>
<td>Dundee</td>
<td>Source24</td>
<td>Chris Nesbitt</td>
<td><strong>Delete Selected</strong></td>
<td>View Delete</td>
<td>Delete</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>25 High Street</td>
<td>Dundee</td>
<td>Source25</td>
<td>Chris Nesbitt</td>
<td>View Delete</td>
<td>Delete</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>26 High Street</td>
<td>Dundee</td>
<td>Source26</td>
<td>Chris Nesbitt</td>
<td>View Delete</td>
<td>Delete</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>27 High Street</td>
<td>Dundee</td>
<td>Source27</td>
<td>Chris Nesbitt</td>
<td>View Delete</td>
<td>Delete</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>28 High Street</td>
<td>Dundee</td>
<td>Source28</td>
<td>Chris Nesbitt</td>
<td>View Delete</td>
<td>Delete</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>29 High Street</td>
<td>Dundee</td>
<td>Source29</td>
<td>Chris Nesbitt</td>
<td>View Delete</td>
<td>Delete</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Click on the **Delete Selected** icon then the **Confirm Delete** icon.

6. If your records were successfully deleted, you will receive the following message: **Record deleted.**

7. If your records were not successfully deleted, you will receive the following message:

   **Some records could not be deleted due to unexpected errors or because they are referenced by other records.**

   If you were unable to delete your records, it could be because they are still appended to one or more portfolios.
Once you are happy you have provided all the required information for the annual update, you will need to change to status of your portfolio for 2013/14 from draft to pending approval.

To do this:

1. Click on the icon then select the **Edit** icon next to your 2013/14 portfolio.

2. Change status of your portfolio from **Draft** to **Pending Approval**.

3. Click on the **Save** icon.

You have now completed the annual update process. The Registration Team will now assess and check the information you have provided. If the Registration Team are confident that all the information you have provided is correct, you will receive an email notification to let you know that your annual update has been approved and your 2013/14 portfolio is on the register.

A member of the Registration Team will also contact you if there is an issue with your annual update submission.
Duty of responsible person to provide information

(1) This section applies where a property factor is registered.

[...]

(3) The property factor must, no later than three months after the end of each financial year, give notice to the Scottish Ministers—

(a) of any dwelling houses, flats or land in relation to which the property factor has acted as property factor during that financial year, or (b) if there has been no change in that information since—

(i) the date of the last notice given under this subsection, or

(ii) if the person became registered as a property factor during the financial year, the date on which the person provided the information referred to in section 3(2)(e),

that there has been no change in that information.

[...]

(6) A person who, without reasonable excuse, fails to comply with subsection (2) or (3) is guilty of an offence.

(7) A person who, in a notice under subsection (2) or (3), provides information which the person knows is false in a material particular, is guilty of an offence.

(8) A person guilty of an offence under subsection (6) or (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Application for registration

(1) A person who is, or intends to become, a property factor may apply to the Scottish Ministers for entry in the register.

(2) An application under subsection (1) must specify—

[...]

(e) any dwelling houses, flats or land in relation to which the person acts, or expects to act, as a property factor,

[...]
ANNEX B – Properties and Land Information to be supplied in the Annual Update

You should use the Annual Update to make sure your portfolio for 2013/14 contains details of any properties or land in relation to which you acted as property factor between 1 April 2013 or your date of registration to 31 March 2014. The type and range of information required is unchanged from that required on first application to the register.

All registered property factors (with the exception of those who registered in advance of operating and did not manage any properties or land at the time of registration) have a list of Properties included in their 2012/13 or 2013/14 portfolio on the register. Some, but not all, will also have a list of Land included in their portfolio.

Properties

“Properties” in this context means individual flats or houses, not whole developments. So, for example, if you manage three blocks of flats, each block containing 10 flats, then you would have 30 properties to list.

For land-owning land maintenance companies, this would mean listing all individual houses/flats where the owners are obliged by their title deeds to pay for the land maintenance. In these cases, you would also supply a land list (see below). Land-owning land maintenance companies are not the only organisations for which a land list is required.

Commercial properties – if you manage commercial properties, you would include these in your list only if those properties share common parts with residential properties. For example, if there were shops below flats and those shops shared responsibility for the common parts of the building (eg roof, stairwell) then the addresses of those shops should be included.

Land

If any land managed is entirely within the curtilage of the buildings managed – eg private gardens shared by the proprietors – then you don’t need to supply a separate list of land managed. Listing all the property addresses will cover this.

However, you should supply a list of land managed where that land is outside the immediate gardens of the buildings - such as where there is open ground that is either owned by the homeowners collectively, or is owned by you but where the homeowners have obligations in their title deeds to pay for the upkeep of the land.

When recording information in relation to land, only one record is required per development. One development may include several pieces of land that are maintained by the property factor.
Additional note for local authorities/registered social landlords managing mixed-tenure blocks or developments:

Where you are the property factor for a block/development and you own some of the properties but not all and therefore you share responsibility for the common parts with other owner(s), include all the properties in that block/development in the list you supply. Ie include the addresses of those properties which are owned by private owners and those that are owned by you for rental to your tenants. Do not include blocks/developments where you are the sole owner – ie which are entirely social rented tenure.

If open land is also managed in this situation you may also need to include the development in your land list as well as listing the individual properties.

If you are in doubt about what to include, refer to the definition of what situations determine who is considered a “property factor” in terms of sections 2(1)(b) and (d) of the Property Factors (Scotland) Act 2011.

In both sections 2(1)(b) and (d) the concept of shared responsibility or ownership of common parts is important. This is why if the local authority or RSL is the sole owner and no other party has obligations to contribute to the management or maintenance of the buildings or land – ie entirely social rented tenure – then the properties or land are not being factored by you in terms of the Act and therefore you do not include them in your portfolio.

If you continue to be in doubt about which properties and land should be included in your portfolio, contact a member of the Registration Team at propertyfactorregister@scotland.gsi.gov.uk for further advice.