

Complaints Procedure

If any complaint or complaints between landlord/s, tenant/s, owners of factored properties or third parties (such as contractors) can't be resolved by negotiation or mediation with the factor or member of staff the complaint may be escalated by either party to a director of the company. Failing a resolution, the next stage is an Ombudsman (if and where there may be membership) or The Government [First-tier Tribunal](#). Final decision rests with a Sheriff sitting at Edinburgh Sheriff Courts under Scots Law.

Complaints Procedure

These procedures are appropriate for all complaint permutations between tenants, landlords, owners of factored properties and third-party contractors and agents.

1. The complaint should be genuine and be representative of real loss.
2. Any complaints should be made in good faith, not be frivolous, vexatious or contrived.
3. Should not be augured to receipt of windfall damaged for minor infractions or indiscretions.
4. Should always be subject first to mediation (see Mediation below).
5. Be subject to [First-Tier tribunal](#) (FTT) or, where in place an Ombudsman*.
6. Final decision rests with a Sheriff sitting at Edinburgh Sheriff Courts under Scots Law.
7. There is no initial fee or cost for registering a complaint**.
8. The complaints should be dealt with in a timely manner.
9. Those involved agree to withhold / retract any negative publicity until after the process.

Mediation

Factotum encourages mediation between parties where there is complaint or dispute and offers clients a mediation service to resolve any disputes. There may be associated costs and a small fee for such a service, but this can be in the form of a donation to a registered charity. Indeed, where disputes between parties involve a financial consideration as part of a resolution then such charitable donations on behalf of all parties will be encouraged. The emphasis in such mediation will promote a bias towards pragmatism over principle, reconciliation over retribution.

* Factotum do not presently belong to any Ombudsman Scheme. However, we comply with the Letting Agent [Code of Practice](#) (Scotland) Regulations 2016 and the Property Factors (Scotland) Act 2011: [Code of Conduct](#) for Property Factors.

** Where time consuming and repetitive requests for excessive information are considered an unwarranted and deliberate disruption on the agent's business then reasonable charges may be applied only when given prior notice.

We agree to the above:

Signed:Date
Plaintiff

Signed:Date
Defence

Signed:Date
Agent