

COMPLAINTS PROCEDURE For Residential Developments (MXMCPr-5.8-2022)

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1: Introduction

MXM is committed to a service which is transparent, fair, polite, honest and always takes into consideration the other co-owners within each building that we manage.

We also recognise on some occasions, that problems can go wrong in the buildings and properties you either own or live in. When this happens and you're really not pleased with the service then we would like you to let us know, so we can try and put these matters right for you.

We take all complaints very seriously and will endeavour to deal with your complaint promptly and in confidence. Any complaint will also be treated impartially.

To ensure we can deal with your complaint in a consistent manner, we have created step by step procedures which are set out within this guidance document for you to follow.

If you are a tenant and renting accommodation, you will need to refer your complaint to either the letting agent or the owner of the property you are living in.

This procedure has also been developed to meet the requirements of the Property Factors (Scotland) 2011 Act and corresponding Code of Conduct for Property Factors.

2: What this Procedure does not cover

- Day to day matters, such as reporting a common building repair
- Owners who are in Litigation with the development and are being pursued by MXM on behalf of the other owners, due to unpaid common service charges
- Owners who are Landlords and not complying with the current legislation and the Deed of Conditions for the building
- Service charge accounts, queries and requests for information about your account for late payment and legal charges
- Defects and problems within your own property are usually outside our remit or control. Some of these issues will need to be referred to the letting agent, the developer or the NHBC. Unless there is a water leak coming into your property (then please use the emergency procedure process provided for your development).
- Complaints by one resident about another resident or residents

3: When to Complain

- If you are not pleased with the service in your building (please also consider 2.8.1 of our written statement of services)
- If you believe we have completely failed to follow our Statement of Services
- If we have not carried out a repair within a reasonable timeframe (please also consider 2.8.1 of our written statement of services).
- If you believe we have discriminated against you
- If you have had a problem with one of our representatives
- If you have had a problem with a service contractor employed by MXM to provide services at your development

4: Service Contractor complaints

If you are unhappy with the service provided by one of the contractors at your development, in the first instance, please contact the Manager responsible for your development to raise your initial concerns. If you are not sure who this is, you can either ask the site security team or ring us on 0333 800 1971, who will advise you.

We will then establish if this is one of the contractors operating for the development and if so, we will contact the contractor concerned to try and resolve the issue for you. In addition, depending on your concerns, this may also be escalated to the Senior Management who can review and examine the standards of work on the site and arrange any necessary meetings to resolve matters.

If you are unhappy with the outcome of this process, then please refer to our complaints procedure detailed below.

Please note: Payment of your monthly common service fees as per the Deed of Conditions for the building and as stated within 3.1.6 of the MXM written statement of services must be adhered to while going through the complaints procedure, other than an item applicable under 3.1.9 of the MXM written statement of services. Non-payment of your common service fees will continue to be subject to the 3.1.4 Late payment fees.

5: The complaints procedure

Prior to raising a complaint, we would suggest that you consider by far the most effective way of resolving a problem is to provide the contractor or representative concerned from MXM the opportunity to discuss and resolve your dissatisfaction informally.

Before you make a formal written complaint, please ensure you have taken the opportunity to do this.

6: Stage one process

If your issue concerns a member of MXM or any part of our service, please put your complaint in writing, addressed to our Customer Services team. Please ensure you identify it clearly as a stage one complaint and send your letter to:

Customer Services
MXM Property Solutions Ltd
Dalsetter Business Centre
Unit 13
42 Dalsetter Avenue
Glasgow
G15 8TE

Support@mxmps.com

We will acknowledge receipt of your complaint within ten working days by either sending a full reply or advising that additional time is required with a set date for our response.

All complaints are recorded and tracked to ensure we adhere to this procedure.

We aim to resolve complaints as quickly as possible, however sometimes complaints are often complex and you may disagree with our response. If you are not entirely satisfied with the outcome, please follow stage two process of this procedure.

7: Stage two process

If you feel you have not received a reasonable response to your complaint under stage one, please write formally to us marking your letter for the attention of the Director and identifying it clearly as a stage two complaint.

This must be done, within 14 working days of receipt of your stage one response.

We will acknowledge receipt of your complaint within ten working days, by either sending a full reply or advising that additional time is required and providing a date for this. Please address your letter to:

The Managing Director
MXM Property Solutions Ltd
Dalsetter Business Centre
Unit 13
42 Dalsetter Avenue
Glasgow
G15 8TE

8: Homeowner Housing Panel

Once our final position has been confirmed, the homeowner may have the right to apply to:

Housing and Property Chamber First-tier Tribunal for Scotland
4th Floor
1 Atlantic Quay
45 Robertson Street
Glasgow
G2 8JB

HPCAdmin@scotcourtribunals.gov.uk

If you have followed our formal Complaints Procedure fully and believe we have contravened a specific part of the Property Factors (Scotland) 2011 Act or corresponding Code of Conduct for Property Factors, you may then escalate your issue to the Housing and Property Chamber.

Prior to doing this you must also notify us in writing of the specific reasons why you consider we have failed to carry out our duties or failed to comply with the Code of Conduct for Property Factors.

You can download an application form from their website at:

www.housingandpropertychamber.scot

You must provide:

1. Evidence that you have notified your Property Factor of your complaint and that the Property factor has refused to resolve the complaint or has unreasonably delayed resolving the complaint;
2. Copies of any correspondence which you have sent and received from your Property Factor regarding your complaint, including the Factor's response to your notification of complaint; and
3. A copy of any statement of Services provided by your property Factor. (An up to date copy is also available from our website).

The Housing and Property Chamber is completely independent of MXM Property Solutions Ltd and can be contacted at:

Housing and Property Chamber First-tier Tribunal for Scotland
4th Floor
1 Atlantic Quay
45 Robertson Street
Glasgow
G2 8JB

HPCAdmin@scotcourtribunals.gov.uk

9: Contact us

We ask that you communicate formally and in writing with us to enable us to process your complaint in the most consistent manner. We can accommodate complaints via email, by exception depending on the complaint, but request that you contact us separately to help us set this up for you, to enable the appropriate tracking of each case and stage.

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