



25 March 2022

Woodilee Residents Association

By email to: woodileeresidents@gmail.com

Our Ref: GHU/LMO/RESI/2/237

Your Ref:

Direct e-mail: lmo@bto.co.uk

Dear Sirs

**Residential Management Group Ltd (our client)
Woodilee Village Proprietors Association
Termination of Appointment of Factor**

We refer to the above matter and to your letter of 21 February 2022.

Our client's position is that the information you have provided does not confirm that the procedure you followed in your apparent termination of our client's position as factor of the development is conform to the title deeds.

As such our client has instructed us to request evidence to confirm that the true owners of all properties in the Woodilee Development were notified of the meeting on 20 October 2021 via Zoom. As stated in our previous correspondence to you the title deeds require that all owners are notified of a meeting in order for that meeting to be conform to the title deeds. Our client understands that a number of the properties in the development are rented to tenants. Our client requires evidence that the true owners of rented properties were notified of the meeting by you. Please provide this.

In addition, please provide proof of the home owners that were in attendance at the meeting. Please also confirm the process undertaken to verify that all those present at the meeting were home owners and not tenants.

Finally, please provide evidence of the votes that were issued by each of the homeowners.

Our client's position is that, if you are not able to provide this evidence, a fresh meeting is required which is notified to all true home owners in order to ensure that the vote is conform to the title deeds. We refer to our client's Written Statement of Services which at Clause 11 Termination of Appointment states "*Written evidence to illustrate that competent consultation of all owners has occurred must be produced to RMG Scotland, along with a signed document verifying the decision of each owner*".

Our client reserves any rights it may have to seek financial penalty charges from the homeowners in relation to this matter.

If you have any questions as to your legal rights, we recommend that you seek independent legal advice.

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This letter is written entirely without prejudice to and under reservation of our clients' rights and pleas and neither the letter (nor any copy of it) nor its contents may be produced, exhibited, referred to or founded upon in any court action or in any other proceedings except (a) with our express written consent or (b) at our clients' instance.

Yours sincerely



Grant M. Hunter
Partner
For and on behalf of BTO Solicitors LLP

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