

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision and Certificate of Compliance with Letting Agent Enforcement Order in terms of Section 50 of the Housing (Scotland) Act 2014

Reference number: FTS/HPC/LA/23/1128

Property: 2/L, 172 Clepington Road, Dundee, Angus, DD3 8BE

The Parties:

Dr Marija Zacharova, 357 Holton Road, Barry, Vale of Glamorgan, CF63 4HX ("the Applicant")

Rockford Properties, 50 Castle Street, Dundee, DD1 3AQ ("the Respondent")

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Tribunal Member:

Alison Kelly (Legal Member) and Nick Allan (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal'), having determined that the Letting Agent has complied with the Letting Agent Enforcement Order ('LAEO') dated 11th September 2023, certifies that the Letting Agent has complied with the LAEO.

The Tribunal's decision is unanimous.

Reasons for decision

1. The tribunal issued a decision to the parties on 11th September 2023. The Tribunal found that the Letting Agent had failed to comply with paragraphs 90, 91, 108 and 112 of the Letting Agent Code of Practice ('the Code') and issued a Letting Agent Enforcement Order (LAEO) on the same date.
2. The LAEO required the Letting Agent, order to do the following:

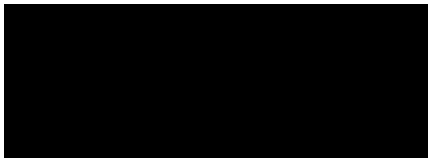
Pay to the applicant the amount of £500, as compensation for the loss suffered by the applicant as a result of the failure to comply with the Code within the period of 28 days from the date of service of the Order.

Evidence received that LAEO has been complied with

- a) on 30th October 2023 the Applicant sent an email to the Tribunal confirming that the sums had been paid.
 - b) On 7th November 2023 the Respondents returned a form to the Tribunal confirming that they considered that the order had been complied with.
3. On the basis of the evidence before it, the Tribunal is satisfied that the Letting Agent has complied with the terms of the LAEO. It therefore issues this certificate of compliance.

Rights of Appeal

In terms of section 46 of the Tribunals (Scotland) Act 2014, a party aggrieved by the decision of the tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.



Chairperson of the Tribunal

27th November 2023

