

**First-tier
Tribunal for
Scotland
(Housing
and Property Chamber)**

Housing and Property Chamber **First-tier Tribunal for Scotland**



Decision and Certificate of Compliance with Letting Agent Enforcement Order in terms of Section 50(1) of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/LA/22/3936

tfr 88 Walker Road, Aberdeen, AB11 8BR ("the Property")

The Parties:-

**Mr Petr Bartek, 47 Slavkov pod Hostynem, 76861, Czech Republic
("the Applicant")**

**Martin & Co, 123 Rosemount Place, Aberdeen, AB25 2YH
("the Letting Agent")**

Letting Agent Registration Number: LARN1905074

Tribunal Members

Miss Gillian Buchanan (Legal Member)

Mr Mike Scott (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 1 October 2023, certifies that the Letting Agent has complied with the LAEO.

Reasons for Decision

1. The tribunal issued a decision to the parties on 1 October 2023 which determined that the Letting Agent had failed to comply with the Letting Agent Code of Practice ("the Code of Practice"), in particular:-
 - Paragraph 29(d).
2. The tribunal therefore issued a Letting Agent Enforcement Order ("LAEO") also dated 1 October 2023 ordering the Letting Agent to pay to the Applicant £800 as compensation for the loss suffered by the Applicant.

The tribunal ordered that the payment specified in the LAEO must be paid over and completed within a period of 28 days from the date of service of the LAEO.

3. By email dated 12 December 2023 the Applicant advised the tribunal that the Respondent had complied with the LAEO.
4. The tribunal therefore determined that the LAEO had been complied with. The decision of the tribunal was unanimous.

Right of Appeal

5. **A landlord, tenant or third party applicant aggrieved by the decision of the Tribunal may seek permission to appeal from the Upper Tribunal on a point of law only within 30 days of the date the decision was sent to them.**

Gillian Buchanan

Signed Legal Member & Chair

Date 27 December 2023