

Housing and Property Chamber
First-tier Tribunal for Scotland



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

**Certificate of Compliance with the Letting Agent Enforcement Order (LAEO):
Section 48(8) of the Housing (Scotland) Act 2014 (“The Act”)**

Reference number: FTS/HPC/LA/23/0511

Re: Property at 1 Connaught Place, Edinburgh, EH6 4QT (“the Property”)

Parties:

Miss Regina Alonzi, 1 Connaught Place, Edinburgh, EH6 4QT (“the Applicant”)

Colette Scanlon-Riach, 26 Carrick Road, Ayr, KA7 2RB (“the Respondent”)

Tribunal Members :

Karen Kirk (Legal Member) and Ann Moore (Ordinary Member)

Decision

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) having determined that the Respondent has complied with the Letting Agent Enforcement Order (‘LAEO’) , certifies that the Respondent has complied with the LAEO.
2. The Tribunal’s decision is unanimous.

Whereas in terms of the decision dated 25th October 2023, The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) determined that the Letting Agent had failed to comply with the Letting Agent Code of Practice (“The Code”) and in particular that the Letting Agent has failed to comply with paragraph 68 of the Code, the Tribunal required the Letting Agent to take such steps as are necessary to rectify the failure listed above.

The Tribunal required the Letting Agent to: -

1. Pay the sum of £100 to the Applicant, as compensation for the loss and inconvenience caused by the breach of the Code.

The Tribunal was sent a copy of confirmation of payment to the Applicant from the Respondent in terms of the LAEO. The correspondence showed payment. The Applicant had not replied to the correspondence.

The Tribunal reviewed whether the Respondent had fully complied with the terms of the LAEO on the basis of the evidence before it and was satisfied the LAEO had been complied with and therefore issues this certificate of compliance.

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.

Please note that in terms of section 51(1) of the Act, a Letting Agent who, without reasonable excuse, fails to comply with an LAEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. Decision with Written Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 48 of the Housing (Scotland) Act 2014.

**Karen Kirk
Legal Member**