

# Housing and Property Chamber First-tier Tribunal for Scotland

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**Certificate of Compliance following upon a Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) in an application under Section 48 of the Housing (Scotland) Act 2014 (“the Act”) and issued under The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Rules of Procedure 2017**

**Reference number: FTS/HPC/LA/23/0371**

**Re: Property at 16-1/2 Bank Street, Aberdeen AB11 7SX (“the Property”)**

**The Parties:**

**XUSA Limited, having their registered office at Hollycroft House, Epsom KT17 1JR (“the Applicant”)**

**Stonehouse Property Lettings, Neo House, Riverside Drive, Aberdeen AB11 7DG (“the Respondent”)**

**Tribunal Members**

**James Bauld (Legal Member and Chair)**

**Elizabeth Dickson (Ordinary Member)**

**Decision of the Tribunal**

The Tribunal having determined that the Letting Agent Enforcement Order (LAEO) relating to the property which was dated 30 November 2023 has been complied with hereby certifies that the respondent has complied with the LAEO.

**Reasons for Decision**

1. By decision dated 30 November 2023 the Tribunal determined that the respondent had failed to comply with certain duties arising from the Letting Agent Code of Conduct (“the Code”). The Tribunal issued a Letting Agent Enforcement Order which required the respondent to make a payment to each of the applicants of the sum of £5,700.
2. Subsequent to the issue of the Order, the Tribunal received correspondence from the applicant dated 11 January 2024 confirming that he was satisfied that the actions required in the LAEO have been completed, presumably by a payment being to the applicant in accordance with the LAEO.

3. Accordingly, the Tribunal is satisfied that the respondent has complied with the terms of the LAEO and have decided to issue this certificate of compliance. No further action is therefore required by the respondent in terms of the LAEO which may now be deemed to be completed.

**Rights of Appeal**

4. 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.

Where such an appeal is made, the effect of the decision and of any order is suspended until the appeal is abandoned or finally determined by the Upper Tribunal, and where the appeal is abandoned or finally determined by upholding the decision, the decision and any order will be treated as having effect from the day on which the appeal is abandoned or so determined.

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James Bauld, Chairperson

5 April 2024  
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Date