



Letting Agent Enforcement Order ('LAEO')

Section 48(7) of the Housing (Scotland) Act 2014 ('the Act')

Reference number: FTS/HPC/LA/21/2306

Parties:

Mr Charles Simpson, 8 Priory Way, Beauly, IV4 7GF ("the Applicant")

Belvoir (A&A Inverness), 18 Queensgate, Inverness, IV1 1DJ ("the Respondent")

Whereas, in terms of their decision dated 9 April 2024, the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Respondent has failed to comply with paragraphs 28, 110 and 111 of the Letting Agent Code of Practice ('the LACP');

The Tribunal requires the Respondent to take the following steps to rectify said failures:

1. To make a clear statement in a prominent place on its website to the effect that it is subject to the LACP;

such step to be carried out and completed no later than **four weeks following the service of this Order**;

2. To send a letter to the Applicant and his wife apologizing for making an intimidatory statement in its email of 29 June 2021 to the latter, and copy the same to the Tribunal;

such step to be carried out and completed no later than **two weeks following the service of this Order**.

In terms of Section 46 of the Tribunal (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.

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.

Date: 10 April 2024

Legal Member: