

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision and Certificate of Compliance with Letting Agent Enforcement Order (LAEO) under section 50(1) of the Housing (Scotland) Act 2014 (Act)

Chamber Ref: FTS/HPC/LA/19/4067

75e Rosemount Place, Aberdeen, AB25 2XL (“the Property”)

The Parties:-

Mr Gordon Campbell, 9 Richmond Terrace, Aberdeen, AB25 2RP (“the Applicant”) (now deceased)

Contempo Property, 127 Rosemount Place, Aberdeen, AB25 2YH (“the Letting Agent”)

Tribunal Members

Ms Helen Forbes (Legal Member)

Mrs Melanie Booth (Ordinary Member)

Decision

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (Tribunal) having determined that the Letting Agent has complied with the Letting Agent Enforcement Order (“LAEO”) dated 25th September 2020, hereby certifies that the Letting Agent has complied with the LAEO.

Reasons for Decision

2. In terms of their decision dated 25th September 2020, the Tribunal determined that the Letting Agent had failed to comply with paragraph 110 of the Code of Practice for Letting Agents (“the Code”) as required by the Act. The Tribunal issued a LAEO dated 25th September 2020 ordering the Letting Agent to, within 21 days, change their procedures to ensure that all tenants are made aware of the Code prior to, or at the time of, commencement of a tenancy.
3. On 8th October 2020, the Letting Agent provided the Tribunal with details of an email or letter that is provided to all tenants at the start of the tenancy informing them of the Code.

4. The Tribunal determined that the LAEO had been complied with. The Decision of the Tribunal was unanimous.

Right 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.

13th October 2020