

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Chamber File Reference number: FTS/HPC/LA/19/0777

Parties:

Mr Alan Henderson, 1 Hamilton Terrace, Edinburgh, EH15 1 NB (Applicant)

Mr Ross Young, Belvoir Edinburgh, 28-28A Dundas Street, Edinburgh, EH3 6JN (Respondent)

Tribunal Members: Alison Kelly (Legal Member) and Linda Reid (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 19th May 2019, certifies that the Letting Agent has complied with the LAEO.

The Tribunal's decision is unanimous.

Reasons for decision

1. The tribunal issued a decision to the parties on 19th May 2019. The Tribunal found that the Letting Agent had failed to comply with paragraphs 24 and 74 of the Letting Agent Code of Practice ('the Code') and issued a Letting Agent Enforcement Order (LAEO) on the same date.
 2. The LAEO required the Letting Agent, within one month of the date of service of the order to do the following:
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1. To pay the Applicants the sum of £249.64 being the sum the Respondents agreed to pay the Applicant;
2. To pay the Applicant the sum of £200 in compensation for the loss suffered as a result of the said failures

Evidence received that LAEO has been complied with

- a) on 24th June 2019 the Applicant sent an email to the Tribunal confirming that the sums had been paid.
 - b) On 26th June 2019 the Respondents returned a form to the Tribunal confirming that they considered that the order had been complied with.
3. On the basis of the evidence before it, the tribunal is satisfied that the Letting Agent has complied with the terms of the LAEO. It therefore issues this certificate of compliance.

Rights of Appeal

Interms 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.

Chairperson

Alison Kelly

1/7/19Date