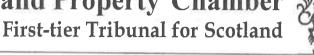
## **Housing and Property Chamber**





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 19<sup>th</sup> 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 19<sup>th</sup> 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:

- 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 24<sup>th</sup> June 2019 the Applicant sent an email to the Tribunal confirming that the sums had been paid.
- b) On 26<sup>th</sup> 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

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.

Chairperson

**Alison Kelly** 

1/7/19 Date