

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

Housing and Property Chamber

First-tier Tribunal for Scotland



Letting Agent Enforcement Order (LAEO): Section 48(7) of the Housing (Scotland) Act 2014 ("The Act")

Chamber Ref: FTS/HPC/LA/23/0828

Re: Property at Flat 7, 45 Lyon Street, Dundee DD4 6RA ("the Property")

Parties:

Miss Lauren Siddalls ("the Applicant")

Belvoir Letting - Dundee ("the Respondent")

Mr Andrew McLaughlin	-	Legal Member
Mr David Godfrey	-	Ordinary Member

Whereas in terms of their decision dated 22 August 2023, The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Letting Agent has failed to comply with the Letting Agent Code of Practice ("The Code") and in particular that the Letting Agent has failed to comply with the following aspects of the Code :-

Paragraphs 26, 90, 91, 93, 108

The Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failure(s) listed above.

The Tribunal requires the Letting Agent to:-

1. Pay the Applicant the sum of £750.00 in compensation. This sum is composed of an amount equivalent to two months' rent together with an additional sum of £30.00 for the modest out of pocket expenses incurred by the Applicant to assist her in containing the water ingress;

2. Inspect the ceiling of the Property affected by the leak within 14 days and to advise the landlord to repair the damp staining and redecorate as necessary

The Tribunal order that the steps and payment specified in this Order must be carried out and completed within the period of 14 days from the date of service of this Order.

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.

Please note that 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.

Legal Member and Chair

23 August 2023

Date