



**Letting Agent Enforcement Order made in terms of Section 48(7) of the Housing (Scotland) Act 2014.**

**Reference number: FTS/HPC/LA/23/0050**

**The Parties:**

**Mrs Amber Smith. Balclutha, Nether Drumgley, Forfar DD8 1QZ (“the Applicant”)  
DJ Alexander, 1 Wemyss Place, Edinburgh, EH3 6DH (“the Respondent”)**

**Legal Member Lesley Anne Ward  
Ordinary Member David Fotheringham**

**Chamber Reference: FTS/HPC/LA/23/0050**

This notice shall be read in conjunction with the Decision and Statement of Reasons of today’s date and under the above reference. The tribunal determined that the respondent has failed to comply with paragraphs 21,32j),78,93,102,107 and 110 of the Letting Agent Code of Practice.

**The Tribunal accordingly makes the following letting agent enforcement order:**

Within 30 days of their receipt of this Letting Agent Enforcement order the Respondent DJ Alexander shall:

1. Pay the applicant the sum of eight hundred and ninety nine pounds sixty pence hundred pounds (£899.60) in respect of her losses and inconvenience arising out of their failure to comply with the Letting Agent Code of Practice.
2. Provided a copy of their terms of business.
3. Satisfy the tribunal that all clients including historical clients who have transferred from previous letting agents such as Fineholm, have been given a copy of the terms of business.
4. Provide to the Tribunal Chamber evidence of their compliance with this order.

## **Right of Appeal**

**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 Housing (Scotland) Act 2014, a letting agent who, without reasonable excuse, fails to comply with a Letting Agent Enforcement Order commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.**

**14 June 2023**

\_\_\_\_\_  
**Lesley A Ward   Legal Member**

\_\_\_\_\_  
**Date**