

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

### **Letting Agent Enforcement Order in terms of Section 48 of the Housing (Scotland) Act 2014 (“the Act”)**

**Chamber Ref: FTS/HPC/LA/18/3059**

#### **The Parties:-**

**Miss Victoria Miller, 18 Shaws Terrace, Edinburgh, EH7 4PJ  
 (“the Applicant”)**

**Fidra Lettings Limited, 6 High Street, Gifford, East Lothian, EH41 4QU (“the Letting Agent and Respondent”)**

#### **Tribunal Members:-**

<b>Patricia Anne Pryce</b>	-	<b>Chairing and Legal Member</b>
<b>Ann Moore</b>	-	<b>Ordinary Member (Housing)</b>

Whereas in terms of their decision dated 29 March 2019, 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 :-

Sections 16, 17, 18, 19, 20, 21, 24, 27, 73, 74, 85, 86, 90, 93, 94 and 109;

The Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failures listed above.

The Tribunal requires the Letting Agent to:-

1. Pay to the Applicant the sum of £3,051.87.
2. Provide documentary evidence to the tribunal of the Respondent’s compliance with the above Letting Agent Enforcement Order by sending such evidence to the office of the First-tier Tribunal (Housing and Property Chamber) by recorded delivery post.

The Tribunal order that the steps and payment specified in this Order must be carried out and completed within the period of 28 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.**

P Pryce

**Chairing and Legal Member  
29 March 2019**