

# 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 (LAEO): Section 48(7) of the Housing (Scotland) Act 2014 (“The Act”)**

**Chamber Ref: FTS/HPC/LA/19/1194**

**Flat 10, 3 Sandbank Drive, Glasgow G20 0DA  
 (“the Property”)**

**The Parties:-**

**Miss Gabriela Farasheva, 1/1, 25 Eriboll Street, Glasgow G22 6NZ and Miss Shivani Shirbhate, 1/2 74 Highburgh Road, Glasgow, G12 9EN  
 (“the Applicants”)**

**Tay Letting Limited, 8 Eagle Street, Craighall Business Park, Glasgow G4 9XA  
 (“the Respondents”)**

**Letting Agent Registration Number: 363881**

**Tribunal Members:**

**Graham Harding (Legal Member and Chair)  
Mike Links (Ordinary Member)  
Mary Lyden (Ordinary Member)**

Whereas in terms of their decision dated 22 July 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 :-

Paragraphs 17 in that it must be open, transparent and fair in its dealings with tenants and 18 it must provide information in a clear and easily accessible way.

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:-

(a) Pay to each applicant the amount of £25.50, as compensation for the loss suffered by each applicant as a result of the failure to comply with the Code.

The Tribunal order that the 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.**

G Harding

Legal Member and Chair

22 July 2019

Date