



Letting Agent Enforcement Order ('LAEO')

Section 48(7) of the Housing (Scotland) Act 2014 ('the Act')

Reference number: **FTS/HPC/LA/18/2339**

Parties:

Louise Edmunds, 4 Napier Close, Aldershot, Hampshire ("the Applicant")

Ivyleaf Homes Ltd., 4 High Street, Brechin, Angus, DD9 6ER ("the Respondent")

Letting Agent Registration Number: 437216

Whereas, in terms of their decision dated 23 November 2018, the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Respondent has failed to comply with paragraphs 16, 17, 18, 21, 26, 37(a), 108, 110, 112 and 127 of the Letting Agent Code of Practice ('the LACP');

The Tribunal requires the Respondent to take the following steps to rectify said failure:

1. To lodge with the Tribunal a written complaints procedure that is fully compliant with the terms of the LACP;
2. To lodge with the Tribunal a written debt recovery policy and procedure that are fully compliant with the terms of the LACP;
3. To pay to the Applicant the sum of £500 in compensation for the loss suffered as a result of said failure;

such steps to be carried out and completed no later than one month following the service of this Order.

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.

Housing and Property Chamber
First-tier Tribunal for Scotland



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.

Date:

10 DECEMBER 2018

Legal Member:

N Young