

Housing and Property Chamber

First-tier Tribunal for Scotland



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/22/3936

tfr 88 Walker Road, Aberdeen, AB11 8BR ("the Property")

The Parties:-

**Mr Petr Bartek, 47 Slavkov pod Hostynem, 76861, Czech Republic
("the Applicant")**

**Martin & Co, 123 Rosemount Place, Aberdeen, AB25 2YH
("the Letting Agent")**

Letting Agent Registration Number: LARN1905074

Whereas in terms of their decision dated 20 June 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 paragraph 29(d) of the Code the Tribunal now requires the Letting Agent to take such steps as are necessary to rectify that failure.

The Tribunal therefore requires the Letting Agent to pay to the Applicant the sum of £800 as compensation for the loss suffered by the Applicant as a result of the failure to comply with the Code.

The Tribunal orders that the payment specified in this Order must be 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 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

Date: 2 October 2023