

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Letting Agent Enforcement Order: Section 48(7) of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/LA/19/4067

75e Rosemount Place, Aberdeen, AB25 2XL (“the Property”)

The Parties:-

Mr Gordon Campbell, 9 Richmond Terrace, Aberdeen, AB25 2RP (“the Applicant”) (now deceased)

Contempo Property, 127 Rosemount Place, Aberdeen, AB25 2YH (“the Letting Agent”)

Tribunal Members

Ms Helen Forbes (Legal Member)

Mrs Melanie Booth (Ordinary Member)

Whereas, in terms of its decision of 25th September 2020, the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) has determined that the Letting Agent failed to comply with paragraph 110 of the Code of Practice for Letting Agents (“the Code”) as required by the Housing (Scotland) Act 2014 (“the Act”), the Tribunal issues a Letting Agent Enforcement Order (“LAEO”) as follows:

Letting Agent Enforcement Order

The Letting Agent must change their procedures to ensure that all tenants are made aware of the Code prior to, or at the time of, commencement of a tenancy. The Letting Agent must confirm the change in procedure to the Tribunal by providing documentary evidence within 21 days of the issue of this Order.

Right of Appeal

In terms of section 46 of the Tribunals (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.

Please note that, in terms of section 51(1) of the Act, a Letting Agent, who, without reasonable excuse fails to comply with a LAEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Legal Member and Chairperson
25th September 2020