

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/20/0526

Re: Property at Flat 4/1, 25 Trefoil Avenue, Glasgow, G41 3PB ("the Property")

Parties:

Mr Johar Mirza, Flat 4/1, 25 Trefoil Avenue, Glasgow, G41 3PB ("the Applicant")

Property Bureau, Melville House, 70 Drymen Road, Bearsden, G61 2RH ("the Respondent")

Letting Agent Registration Number: 16485/260/30160

Tribunal Members:

Virgil Crawford (Legal Member)

Ann Moore (Ordinary Member)

Whereas in terms of their decision dated 25 September 2020, 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 :-

Paragraph 82;

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

The Tribunal requires the Letting Agent to:-

Confirm to the Tribunal that its procedures for arranging inspection of properties have been reviewed and updated to ensure that no member of the Respondents, nor any agent acting on their behalf, will attend at any property without at least 24 hours notice of the intended attendance at the property having been given to the tenant.

The Tribunal order that the steps specified in this Order must be carried out and completed no later than 12 noon on 30 October 2020

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.

Legal Member and Chair

25 September 2020