

Housing and Property Chamber
First-tier Tribunal for Scotland



Letting Agent Enforcement Order ('LAEO')

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

Reference number: **FTS/HPC/LA/19/2074**

Parties:

Maria Cervnakova, Flat 3/1, 5 Barrland Street, Glasgow, G41 1QH ("the Applicant")

GPS Legal & Estate, 467 Victoria Road, Glasgow, G42 8RL ("the Respondent")

Whereas, in terms of their decision dated 24 September 2019, the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Respondent has failed to comply with paragraph 91 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 confirm, in writing, to the Applicant the procedure that she should follow to communicate with her landlord in relation to any repairs that are required, including details as to:
 - whom she should contact to report any repair that is required;
 - who will take responsibility for responding to such communication;
 - how quickly an acknowledgement of such communication will be received by her; and
 - who will take responsibility for ensuring any repairs required are carried out timeously;

and to lodge a copy of such written confirmation with the Tribunal;

2. To send a written apology to the Applicant for its failure to respond to her letters dated 3, 25 and 28 June 2019;
3. To pay to the Applicant the sum of £150 in compensation for the loss suffered as a result of said failure;

such steps to be carried out and completed no later than two weeks 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

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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.

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: 24 SEPTEMBER 2019

Legal Member: