

Housing and Property Chamber

First-tier Tribunal for Scotland



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

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

Chamber Ref: FTS/HPC/LA/23/1198

Property at 39 Gardiner Street, Lochgelly, Fife, KY5 9LQ (“The Property”)

The Parties: -

Ms Catherine Harper, Street 2b, Villa 53, Al Bada’a, Dubai, United Arab Emirates (“the Applicant”)

Rent Locally, West End Office Suites, Dundee, DD2 1SW (“the Respondent”)

Tribunal Members: -

Maurice O’Carroll, Legal Member (Chair)
Melanie Booth, Ordinary Member (Housing)

Whereas in terms of their decisions dated 8 August and 9 October both 2023, the Tribunal determined that the Respondent has failed to comply with the Letting Agent Code of Practice (“The Code”) and in particular that the Respondent has failed to comply with the following aspects of the Code:-

Paragraph 17 (Overarching Standards of Practice) and
Paragraph 57 (References and Checks)

The Tribunal now requires the Respondent to take such steps as are necessary to rectify the failures listed above.

In particular, the Tribunal requires the Letting Agent to:-

Pay to the applicant the amount of £495 by way of direct losses and in addition £250 for trouble and inconvenience (Total £745), as compensation for the losses suffered by the Applicant as a result of the Respondent’s failure to comply with the said sections of the Code.

The Tribunal orders that the payment specified in this Order must be carried out and completed within the period of **28 days** from the date of service of this Order, together

with confirmation (and relevant vouching) to the Tribunal at the same time as payment has been made, demonstrating compliance with 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 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.

Signed:



Date: 9 October 2023

Legal Member and Chair