

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision and Certificate of Compliance Letting Agent Enforcement Order in terms of Section 50 of the Housing (Scotland) Act 2014

Chamber Ref: FTS/HPC/LA/18/0719

The Parties:-

Mr Lukasz Kaszubowski, residing at 13/14 Lower Granton Road, Edinburgh, EH5 3RU (“the Applicant”)

Albany Lettings Limited, incorporated in Scotland under the Companies Act (registered number SC291569), 168 Bruntsfield Place, Edinburgh, EH10 4ER (“the Letting Agent and Respondent”)

Tribunal Members:-

Patricia Anne Pryce	-	Chairing and Legal Member
Elaine Munroe	-	Ordinary Member (Housing)

This order should be read in conjunction with the tribunal’s decision and Letting Agent Enforcement Order of 8 August 2018.

Decision

The tribunal is of the view that the Respondent has fully complied with the order dated 8 August 2018.

The tribunal’s decision is unanimous.

Reasons for Decision

Subsequent to the tribunal’s decision dated 8 August 2018, on the same date the tribunal issued a Letting Agent Enforcement Order (LAEO) in the following terms:-

“The tribunal hereby requires the Respondent within 28 days of the date of communication to the Respondent of this order to:-

1. Pay to the Applicant the sum of £2,000.
2. Provide documentary evidence to the tribunal of the Respondent’s compliance with the above Letting Agent Enforcement Order by sending such evidence to the office of the First-tier Tribunal (Housing and Property Chamber) by recorded delivery post.”

The decision and order were issued to the parties.

Subsequently, on 2 October 2018, the tribunal received from the Respondent confirmation that the Respondent had sent to the Applicant a cheque in the sum of £2,000.

On 3 October 2018, the tribunal received from the Applicant an email confirming that he had received the funds from the Respondent.

The tribunal has taken account of the said documentary evidence provided by the Respondent and the Applicant. The tribunal unanimously agrees that the Respondent has complied with the order. The tribunal certifies that the Respondent has complied with the LAEO.

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.

Patricia Anne Pryce

Legal and Chairing Member

21 October 2018