



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

**Certificate of Compliance with the Letting Agent Enforcement Order in terms of the Housing (Scotland) Act 2014 (“The Act”)**

**Reference number: FTS/HPC/LA/21/1624**

**Parties:**

**Mr James Scott, Flat 2-1 Merlin Avenue, Edinburgh, EH5 1FR (“the Applicant”)**

**Lowther Homes Ltd., Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL (“the Respondent”)**

**Karen Kirk (Legal Member) and David Godfrey (Ordinary Member)**

**Decision**

1. The First-tier Tribunal for Scotland ( Housing and Property Chamber) (‘the Tribunal’) having determined that the Respondent has complied with the Letting Agent Enforcement Order (‘LAEO’) dated 2<sup>nd</sup> November 2021 , certifies that the Respondent has complied with the LAEO.
2. The Tribunal’s decision is unanimous.

**Reasons for Decision**

1. 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 had failed to comply with paragraphs 26 and 68 of the Code and issued a LAEO.
2. The LAEO required the Letting Agent to: -

***Pay the sum of £500 to the Applicant, as compensation for the loss and inconvenience caused by the breaches of the Code within 28 days.***

- 3. The Tribunal was advised by parties that payment had been made by the Respondent to the applicant in the sum specified.**
- 4. The Tribunal reviewed whether the Respondent had fully complied with the terms of the LAEO on the basis of the evidence before it and was satisfied this was the case.**
- 5. Accordingly the Tribunal unanimously holds that the LAEO has been complied with and therefore issues this certificate of compliance.**

**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.**

**Legal Member \_\_\_\_\_**