

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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**Letting Agent Enforcement Order ("LAEO")**

**Section 48(7) of the Housing (Scotland) Act 2014 ("the Act")**

**Chamber File Reference number: FTS/HPC/LA/18/3019**

**Parties:**

**Dr Susan McClean and Mr Fraser McClean, Hillview, Strathaven, ML10 6RW  
(Applicants)**

**Donna Hanlon trading as Hanlon Clark, 8 Main Street, Strathaven, ML10 6AJ  
(Respondent)**

Whereas in terms of their decision of 27<sup>th</sup> January 2019, the First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Respondent has failed to comply with paragraphs 18, 26, 108, 120, 123, 124 and 125 of the Letting Agent Code of Practice ("the LACP");

The Tribunal requires the Respondent to take the following steps:

1. To lodge with the Tribunal a receipt from one of the Tenancy Deposit Schemes showing that the tenant's deposit for the property at 2A Townhead Street, Strathaven has been lodged;
2. To lodge with the Tribunal evidence to show that she has made application to the Letting Agents Register;
3. To pay the Applicants the sum of £900 in respect of rent owed to them;
4. To pay the Applicants the sum of £500 in compensation for the loss suffered as a result of the said failures;

Such steps to be carried out within one month of service of this order.

**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.**

Alison Kelly

**Legal Member of the Tribunal  
Dated: 27<sup>th</sup> January 2019**