

# Housing and Property Chamber First-tier Tribunal for Scotland

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

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

**Reference number: FTS/HPC/LA/18/3454**

**The Parties:**

**Carlos Pimenta, 23 Roundhouse Circle, Renfrew, PA4 8FL (“the Applicant”)**

**Westcoast Lettings Ltd, 19 Main Street, Kilbirnie, Ayrshire, KA25 7BX (“ the Letting Agent”)**

**Tribunal Members:**

**Josephine Bonnar (Legal Member)  
John Blackwood (Ordinary Member)**

Whereas in terms of their decision dated 18 March 2019 the First-tier Tribunal for Scotland (Housing and Property Chamber) (“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 has failed to comply with the following aspects of the Code;

Sections 20 and 21

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

The Tribunal requires the Letting Agent to: -

- (1) Undertake staff training to ensure that all members of staff are aware of the terms of the Letting Agent’s procedures, the Code and the requirement to obtain written authority from landlords if taking instructions from third parties. Thereafter to provide the Tribunal with evidence of the staff training which has been carried out.

The Tribunal order that the steps specified in this Order must be carried out and completed within the period of 12 weeks of the date of service of the Order.

## **Appeals**

**A party aggrieved by a 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 a LAEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.**

Josephine Bonnar,  
Legal Member

18 March 2019