

Housing and Property Chamber First-tier Tribunal for Scotland



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

Letting Agent Enforcement Order in terms of Section 48 (7) of the Housing (Scotland) Act 2014 (“the Act”)

Chamber Ref: FTS/HPC/LA/20/2535

Property: Flat 1, 8 Riverview Place, Glasgow, G5 8EB (“**the property**”)

The Parties: -

Mr Peter Meyer, 81 Clarence Gardens, Glasgow, G11 7JW (“**the applicant**”)

Newton Letting, suite 2.1, 116 Elderslie Street, Glasgow, G3 7AW (“**the respondent**”)

Tribunal Members: - Simone Sweeney (Legal Member) Elaine Munroe (Ordinary Member)

Whereas in terms of its decision dated 30th April 2021 (as amended by decision dated 20th July 2021) 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 paragraphs 17,21,90,91 and 93 of the Code for the reasons provided in the Tribunal’s decision of 30th April 2021 (as amended by decision dated 20th July 2021).

The Tribunal now requires the respondent to:

1. pay to the applicant the sum of £800;
2. pay the sum to the applicant in full within 28 days of issue of this decision and order;
3. provide to the Tribunal evidence of compliance with this order within 28 days of issue of this decision and 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. The 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 Letting Agent Enforcement Order commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.

S Sweeney, Legal chairing member at Glasgow on 20th July 2021