



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

Certificate of Compliance

**Reference number: FTS/HPC/LA/19/2998**

**Flat 1, 8 Riverview Place, Glasgow G5 8EB ("Property")**

**The Parties:-**

**Peter Meyer, residing at the Property**

**("Applicant")**

**Drumwhirn Property Letting Ltd t/a Newton Letting ("Letting Agent")**

**Letting Agent Registration Number LARN1906017**

**Tribunal Members :**

**Joan Devine – Legal Member**

**David Fotheringham – Ordinary Member**

### **Decision**

The Tribunal determined that the Letting Agent has complied with the Letting Agent Enforcement order dated 7 January 2020.

### **Reasons for Decision**

In terms of its decision dated 7 January 2020, the Tribunal determined that the Letting Agent had failed to comply with the Letting Agent Code of Practice and issued a Letting Agent Enforcement Order requiring the Letting Agent to :

1. Review and amend their policies and procedures to ensure that they are fully compliant with the Code and in particular Rule 83 which states - *If the Tenant refuses access, you, the landlord or any third party have no right to enter the property using the keys without a Warrant.*
2. Carry out relevant staff training to ensure all members of staff are aware of and comply with the Code.
3. Pay to the Applicant the sum of £500 as compensation for the distress caused to the Applicant as a result of the failure to comply with the Code.

By email dated 23 June 2020 the Applicant told the Tribunal that the Letting Agent had made payment of the sum of £500. By email dated 13 July 2020 the Letting agent provided to the Tribunal evidence confirming that staff training had been carried out to ensure all members of staff were aware of and comply with the Code. By email dated 19 November 2020 the Letting Agent provided to the Tribunal evidence that their policies and procedures are compliant with the Code and in particular Rule 83 which states - *If the Tenant refuses access, you, the landlord or any third party have no right to enter the property using the keys without a Warrant.*

**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**

Joan Devine, Legal Member

Date : 23 November 2020