

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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### **Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber)**

**In an Application under section 48 of the Housing (Scotland) Act 2014**

**by**

**Dominic and Wendy Harborne, 12 Lanhill View, Chippenham, Wiltshire SN14 6XS**  
**("the Applicants")**

**Stephen Estates Ltd, Unit 3 Waverly Street, Bathgate, West Lothian EH48 4JA**  
**(Co. No. SC306637) (formerly known as Homes 4U (Scotland) Ltd)**  
**("the Respondent")**

**Chamber Ref: FTS/HPC/LA/18/3269**

**Re: 7 Paxstone Crescent, Harthill ML7 5RU**  
**("the Property")**

#### **Tribunal Members:**

John McHugh (Chairman) and James Battye (Ordinary (Housing) Member).

#### **Decision**

**The Tribunal hereby determines that the Letting Agent Enforcement Order has been complied with.**

The decision is unanimous.

#### **Reasons for Decision**

The Tribunal issued a Letting Agent Enforcement Order ("LAEO") on 11 April 2019 in the following terms:

" Within 31 days of the date of the communication to the Respondent of this letting agent enforcement order, the Respondent must:

1 Pay to the Applicants the sum of £1500.

2 Seek payment of no further sums from the Applicants whether in respect of invoices already issued or otherwise.

3 Confirm in writing to the office of the Tribunal that steps 1 and 2 above have been carried out.”

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In terms of section 50(1) of the 2014 Act, the Tribunal May review whether the Respondent has complied with the LAEO.

The Tribunal gave consideration to the extent to which the LAEO had been complied with.

Both parties have provided written confirmation to the Tribunal that the payment has been made and, in particular, the Applicant has confirmed by way of the completed response form dated 1 June 2019 that the payment has been received and no further sums demanded.

The Tribunal hereby finds that the LAEO has been complied with.

### **Appeals**

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.

**Signed .**

**Date 1 July 2019**

**JOHN M MCHUGH**

**Chairperson**