

Housing and Property Chamber First-tier Tribunal for Scotland



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”)

Chamber Ref: FTS/HPC/LA/19/1739

Property at 465A Old Shettleston Road, Glasgow G32 7JJ (“the House”)

The Parties:-

Mrs Louise Gray, 15 Corona Crescent, Bonnybridge, FK4 1GG (“the Applicant”)

Wolda Asset Management Limited t/a Contempo Property Renfrewshire, 123 Mirren Court, Renfrew Road, Paisley, PA3 4EA (“the Letting Agent”)

Tribunal Members:

Neil Kinnear (Legal Member and Chair)

Helen Barclay (Ordinary Member)

Whereas in terms of their decision dated 4th November 2020, 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:-

Paragraph 26 in respect that it failed to respond to enquiries and complaints within reasonable timescales and in line with the parties’ written agreement, and paragraph 108 in respect that it failed to respond to enquiries and complaints within reasonable timescales;

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) Pay to the Applicant within fourteen days from the date of service of the letting agent enforcement order the sum of £150.00 as compensation for loss suffered by the Applicant as a result of the failure to comply.

The Tribunal orders that the steps specified in this Order must be carried out and completed within the period of 14 days from the date of service of this 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. 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 an LAEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Legal Member and Chair

04/11/20

Date