

# **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”)**

**Chamber Ref: FTS/HPC/LA/22/2373**

**The Parties:-**

**Mrs Catherine Brown, 4 Croftwood, Bishopbriggs, Glasgow, G64 (“the Applicant”)**

**Ms Pauline McHugh, 39 Angus Avenue, Bishopbriggs, Glasgow, G64 1AH (“the Applicant’s Representative”)**

**R & G Estate Agents Limited, 57 Townhead, Kirkintilloch, Glasgow, G66 1NN (“the Respondent”)**

**Tribunal Members:**

**Martin J. McAllister, Solicitor, (Legal Member)**

**Elizabeth Dickson (Ordinary Member)  
(the “tribunal”)**

Whereas in terms of their decision dated 27<sup>th</sup> March 2023, 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 24 and 107.**

The Tribunal requires the Letting Agent to provide an undertaking to the Tribunal in the following terms:-

**(One) It will maintain proper records of dealings with landlords, tenants and prospective tenants and such records will include written correspondence, telephone calls and meetings.**

**(Two) It will ensure that its letting agent registration number is included in all relevant documents and communications and in compliance with the Letting Agent Code of Practice.**

The Tribunal order that the undertaking specified in this Order must be provided within the period of twenty one 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.**

Martin J. McAllister  
Legal Member  
27<sup>th</sup> March 2023