

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Letting Agent Enforcement Order: Housing (Scotland) Act 2014 (“the 2014 Act”), Section 48(7)

Chamber Ref: FTS/HPC/LA/18/0665

The Parties:-

**Mr Premkumar Raju Alamantha
 (“the Applicant”)**

Letting Hamilton Limited, a company registered under the Companies Acts (Company number SC507543), and having its registered office at 4d Auchingramont Road, Hamilton, Lanarkshire, Scotland, ML3 6JT, trading as Location, 83 Cadzow Street, Hamilton, South Lanarkshire, ML3 6DY (“the Letting Agent”)

Tribunal members

**Susanne L M Tanner Q.C. (Legal Member)
Linda Reid (Ordinary Member)**

1. This document should be read in conjunction with the decision of the First-tier Tribunal (“the tribunal”) of the same date, under Section 48(6) of the 2014 Act.
2. The tribunal makes the following **Letting Agent Enforcement Order (“LAEO”)**:

Within 7 days of intimation of the LAEO the Letting Agent must:

- a. **Produce a statement of account showing all client monies held by the Letting Agent on behalf of the Applicant.**
- b. **Pay to the Applicant the sum of £995 in cleared funds (not a credit to account), comprising:**
 - i. **£880 in client monies held by the Letting Agent from 31 January 2018 to date;**

- ii. **£15 in respect of a reasonable estimate of interest on the principal sum from 31 January 2018 to date;**
- iii. **£100 in respect of the delay, worry and inconvenience occasioned to the Applicant by the Letting Agent's failure to comply with the Code of Practice from 31 January 2018 to date; and**

to provide documentary evidence to the tribunal of said payment.

- 3. Failure to comply with a LAEO has serious consequences. Where the tribunal decides that a letting agent has failed, without reasonable excuse, to comply with a LAEO the tribunal must notify the Scottish Ministers under Section 50 of the 2014 Act. A letting agent who, without reasonable excuse, fails to comply with a LAEO order commits a criminal offence under Section 51 the 2014 Act.

4. Appeals

An Applicant or Letting Agent 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

S Tanner

Susanne L M Tanner QC
Legal Member and Chair

31 July 2018