

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/19/1919

Parties

Mr Samuel Harris, sometime residing at Flat 4, 6 Thistle Street, Kirkintilloch, Glasgow G66 1NU and now at 5 Waterloo Gardens, Kirkintilloch, Glasgow G66 2HH ("the Applicant")

and

R & G Properties, having a place of business at 57 Townhead, Kirkintilloch, Glasgow G66 1NN ("the Letting Agent")

Tribunal Members: George Clark (Legal Member) and Gerard Darroch (Ordinary Member)

Whereas in terms of its decision dated 28 August 2019, 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 Paragraphs 101, 103 and 104 of the Code:-

The Tribunal requires the Letting Agent to Pay to the Applicant the amount of £100 as compensation for the inconvenience suffered by the Applicant as a result of the failure to comply with the Code.

The Tribunal orders that the payment specified in this Order must be carried out and completed within the period of 7 days from the last date on which its Decision may be appealed.

This Order is Warrant for all lawful execution thereon.

Right of Appeal

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.

G Clark

George Clark
Legal Member and Chair
Date: 28 August 2019