

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Aileen Stewart, 136 Langton View, East Calder, West Lothian EH53 0RD ("the Applicant")

Stephen Estates Ltd, formerly known as Homes 4U (Scotland) Ltd, Unit 16, 5 Dickson Street, West Calder, West Lothian EH55 8DZ ("the Respondent")

**Re: 47 Young Crescent, Bathgate EH48 2SN
("the Property")**

Chamber Ref: FTS/HPC/LA/19/2137

Tribunal Members:

John McHugh (Chairman) and Ann Moore (Ordinary (Housing) Member).

Decision

The Tribunal hereby determines that the Letting Agent Enforcement Order has not been complied with.

The decision is unanimous.

Reasons for Decision

The Tribunal issued a Letting Agent Enforcement Order ("LAEO") on 22 October 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 £500.

2 Confirm in writing to the office of the Tribunal that step 1 above has been carried out.”

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.

The Applicant has provided written confirmation to the Tribunal that the payment has not been made. The Respondent has not responded.

The Tribunal hereby finds that the LAEO has not 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 6 January 2020

JOHN M MCHUGH

Chairperson