

Housing and Property Chamber

First-tier Tribunal for Scotland



Decision of the First-tier Tribunal for Scotland (Housing and Property Chamber) issued under section 31 of the First-tier Tribunal for Scotland Housing and Property Chamber Procedure Regulations 2017.

CERTIFICATE OF COMPLIANCE with the LETTING AGENT ENFORCEMENT ORDER DATED 14th December 2023 ('The LAEO')

Chamber Ref: FTS/HPC/LA/23/0323

4 (1F1) Springvalley Terrace, Edinburgh, EH10 4QD ('the Property')

The Parties:

Dr Brian Shannan, 21 Yewlands Crescent, Edinburgh, EH16 6TB ('the Applicant and Landlord')

The Flat Company, 61 A Queen Street, Edinburgh, EH2 4NA ('the Letting Agent')

Tribunal members:

Jacqui Taylor (Chairperson) and Ann Moore (Ordinary Member).

Decision of the Tribunal

The Tribunal having determined that the LAEO dated 14th December 2023 ('PFE0') has been complied with, certifies that the Letting Agent has complied with the LAEO.

Reasons for the Decision

1. The Tribunal issued the **LAEO** in the following terms:

'The Letting Agent must pay the Applicant £150 for the inconvenience he had suffered as a result of the breaches of the Code of Practice. The said sums must be paid to the Applicant by 31st January 2024.'

2. On 23rd January 2024 the Letting Agent sent the Tribunal an email advising that the Landlord had confirmed his bank details.
3. On 5th February 2024 the Letting Agent confirmed that the payment had been made to the Landlord and provided a copy of the bank transfer confirmation.

4. The Tribunal sent the Landlord a letter dated 5th February 2024 asking him to confirm if the LAEO had been complied with. He did not reply to that letter. The Tribunal sent the Landlord a further letter dated 1st March 2024 asking him to confirm if he had received the payment of £150 from the Letting Agent. The letter also stated that if the Tribunal do not receive a response by 8th March 2024 they will proceed on the basis that the Landlord received the payment of £150 from the Letting Agent. No response was received to the said letter dated 1st March 2024.
5. The Tribunal were satisfied that the Letting Agent has complied with the LAEO. The Tribunal therefore issues this Certificate of Compliance. No further action is required by the Letting Agent in terms of the LAEO.

Right of Appeal

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.

Jacqui Taylor

Signed.....Date 19th March 2024

Chairperson