

**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/23/2618**

**Property at 108 Monart Road, Perth, PH1 5UQ  
 (“the Property”)**

**The Parties:-**

**Mrs Julie MacDonald and Mr Michael MacDonald, Mhor House, 28 Dundas Home  
Farm, South Queensferry, EH30 9SS (“the Applicants”)**

**Belvoir Perth, 8 Bridge Lane, Perth, PH1 5JJ  
 (“the Letting Agent”)**

**Letting Agent Registration Number: LARN1812033**

**Tribunal Members:  
Mr Andrew Upton (Legal Member and Chair)  
Mr Ahsan Khan (Ordinary Member)**

Whereas in terms of their decision dated 12 October 2024, 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 :-

Paragraphs 18, 20, 26, 32l, 73, 102, 108 and 112

The Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failure(s) listed above.

The Tribunal requires the Letting Agent to:-

- a. arrange with its franchisor to update the website so that the English complaints policy is properly marked, and the Scottish complaints policy uploaded and also properly marked;
- b. revise its complaints policy to provide that:-

- i. Its timescales for response apply to individual heads of complaint from the date when that head of complaint is made; and
  - ii. It shall provide a response to the complaint irrespective of whether proceedings are subsequently raised with the Tribunal; and
- c. Pay to the applicant a sum equal to the final month's management fee as compensation for the loss suffered by the applicants as a result of the failure to comply with the Code.

The Tribunal order that the steps and payment specified in this Order must be carried out and completed within the period of 28 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.**

Andrew Upton

\_\_\_\_\_ Legal Member and Chair

5 December 2024

\_\_\_\_\_ Date