

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision and Certificate of Compliance with Letting Agent Enforcement Order (“LAEO”) under section 50(1) of the Housing (Scotland) Act 2014 (“the 2014 Act”)

Chamber Ref: FTS/HPC/LA/23/3998

Re: Property at 58 Mearns Drive, Stonehaven, AB39 2ES (“the Property”)

Parties:

Mr Andrew Gray, 9 Dunnottar Avenue, Stonehaven, Aberdeenshire, AB39 2JD (“the Applicant”)

Aberdein Considine, 5-9 Bon Accord Crescent, Aberdeen, AB11 6DN (“the Respondent”)

Tribunal Members:

Ruth O’Hare (Legal Member) and Angus Anderson (Ordinary Member)

The Tribunal comprised:-

Mrs Ruth O’Hare	-	Legal Member
Mr Angus Anderson	-	Ordinary Member

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”), having determined that the Respondent has complied with the Letting Agent Enforcement Order (“LAEO”) dated 19 November 2024, hereby certifies that the Respondent has complied with the LAEO.

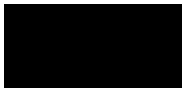
Background

1 In terms of its decision dated 19 November 2024, the Tribunal determined that the Respondent had failed to comply with paragraphs 70, 90, 93 and 103 of the Code of Practice for Letting Agents (“the Code”) as required by the 2014 Act. The Tribunal therefore issued a LAEO requiring the Respondent to make payment to the Applicant by way of compensation the sum of £250.

- 2 By email dated 16 December 2024 the Respondent confirmed that a payment of £250 had been made to the Applicant. In support of this the Respondent provided an email exchange in terms of which the Applicant acknowledged receipt of the payment.
- 3 The Tribunal wrote to the Applicant by email dated 16 December 2024 requesting confirmation as to whether the payment had been received. The Applicant responded to confirm receipt of the payment.
- 4 The Tribunal therefore determined that the LAEO had been complied with. The decision of the Tribunal was unanimous.

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.



Legal Member/Chair

Date 20 December 2024