

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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### 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 (Act)

Property address: Ivy Cottage, Birnam Terrace, Birnam, Dunkeld, PH8 0DR (“the Property”)

### The Parties

Mr Philip Ronald Brammer, Via Vincenzo Statella 2, Siracusa, SR 96100, Italy (“the Applicant”)

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

### Tribunal Members

Ms H Forbes (Legal Member)

Ms C Jones (Ordinary Member)

### Decision

1. The First-tier Tribunal for Scotland (Housing and Property Chamber) (Tribunal) having determined that the Letting Agent has complied with the Letting Agent Enforcement Order (“LAEO”) dated 20<sup>th</sup> December 2024, hereby certifies that the Letting Agent has complied with the LAEO.

### Reasons for Decision

2. In terms of their decision dated 20<sup>th</sup> December 2024, the Tribunal determined that the Letting Agent had failed to comply with paragraphs 89, 90, 93 and 108 of the Code of Practice for Letting Agents (“the Code”) as required by the Act. The Tribunal issued a LAEO dated 20<sup>th</sup> March 2024 as follows:
  1. The Letting Agent must pay to the Applicant within 21 days of the issue of this Order the sum of £2500 towards the cost of repairing damage to the Property as a result of the Letting Agent’s failures to comply with the Code.
  2. The Letting Agent must pay to the Applicant within 21 days of the issue of this Order the sum of £500 in respect of distress and

inconvenience caused to the Applicant due to the failures of the Letting Agent to comply with the Code.

3. By email dated 10<sup>th</sup> January 2025, the Letting Agent informed the Housing and Property Chamber that payment had been made to the Applicant.
4. By email dated 10<sup>th</sup> January 2025 the Applicant confirmed that payment had been received from the Letting Agent.
5. The Tribunal determined that the LAEO had been complied with.

### **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 and Chairperson  
13<sup>th</sup> January 2025