



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

**Decision and Certificate of Compliance with Letting Agent Enforcement Order
in terms of Section 50 of the Housing (Scotland) Act 2014**

Chamber Ref: FTS/HPC/LA/23/2207

Re: Property at 22 Florence Court, Perth, PH1 5BL (“the Property”)

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 Respondent”)

Tribunal Members:

Andrew Upton (Legal Member) and Ahsan Khan (Ordinary Member)

Decision

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the Letting Agent has complied with the Letting
Agent Enforcement Order (“LAEO”) dated 11 December 2024, and certifies that
the Letting Agent has complied with the LAEO.**

The Tribunal’s decision is unanimous.

Reasons for Decision

1. On 11 December 2024 the Tribunal issued a decision to the parties in respect of this matter. In terms thereof, the Tribunal determined that the Respondent failed to comply with paragraphs 18, 20, 26, 32I, 73, 102, 108 and 112 of the Letting Agent Code of Practice (“the Code”) and issued a Letting Agent Enforcement Order (“LAEO”).
2. The LAEO required the Letting Agent to do the following:-

- 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 two times 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.
3. By email dated 23 December 2024, the Letting Agent provided evidence of compliance with the LAEO.
 4. On 18 January 2025, the Tribunal wrote to the Applicants seeking their views on whether the Letting Agent had complied with the LAEO. The Applicants did not respond.
 5. In all of the circumstances, the Tribunal is satisfied that the Letting Agent has complied with the LAEO.

Right of Appeal

In terms of Section 46 of the Tribunal (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.

Andrew Upton

4 March 2025

Legal Member/Chair

Date