

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Letting Agent Enforcement Order: Section 48(7) of the Housing (Scotland) Act 2014

Chamber Reference: FTS/HPC/LA/24/0620

Property address: 8 Lubnaig Drive, Callander, FK17 8LX (“the Property”)

The Parties

Ms Maz Wyllie, 12 Beaufort Road, Inverness, IV2 3NP (“the Landlord”)

Forth Residential, Office 2, Kildean Business and Enterprise Hub, Drip Road, Stirling, FK8 1RW (“the Letting Agent”)

Whereas, in terms of its decision of 5th March 2025, the First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) has determined that the Respondent failed to comply with paragraph 21 of the Code of Practice for Letting Agents (“the Code”) as required by the Housing (Scotland) Act 2014 (“the Act”), the Tribunal issues a Letting Agent Enforcement Order (“LAEO”) as follows:

Letting Agent Enforcement Order

1. The Letting Agent must pay to the Landlord within 21 days of the issue of this Order the sum of £102 for one month’s letting agent fees for the Property as a result of the Letting Agent’s failure to comply with the Code.
2. The Letting Agent must pay to the Landlord within 21 days of the issue of this Order the sum of £300 in respect of distress and inconvenience caused to the Landlord due to the failure of the Letting Agent to comply with the Code.

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.

Please note that, in terms of section 51(1) of the Act, a Letting Agent, who, without reasonable excuse fails to comply with a LAEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Helen Forbes

Legal Member and Chairperson
5th March 2025