



Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 49 of the Housing (Scotland) Act 2014 (Act) and the Rules of Procedure 2017 (contained in Schedule 1 of the Chamber Procedure Regulations 2017 (SSI No.328)) (Rules)

Chamber Ref: FTS/HPC/LA/22/0998

Parties

**Mr Kevin Smith (Applicant)
Stonehouse Lettings (Respondent)**

Mrs Marie Smith (Applicant's Representative)

Tribunal Members:

Alan Strain (Legal Member) and Sandra Brydon (Housing Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (the Tribunal) determined that the Respondent has complied with the Letting Agent Enforcement Order (LAEO) made on 10 November 2022.

Background

Whereas in terms of their decision dated 10 November 2022, The First-tier Tribunal for Scotland (Housing and Property Chamber) (**Tribunal**) determined that the Respondent has failed to comply with paragraphs **21, 25, 35, 102, 112-113 and 123-124** of the Code of Practice for Letting Agents (**Code**) as required by the Act and issued the LAEO of the same date requiring:-

- 1. The Respondent to pay to the Applicant the sum of £580 by way of compensation; and**
- 2. The Respondent to produce an updated written complaints procedure.**

The Applicant and Respondent have submitted that there has been compliance with the LAEO.

Reasons

The Tribunal considered that there had been compliance with the LAEO under reference to the information produced by the Parties in response to the LAEO. It also appeared that payment of the relevant compensation had been made.

The Decision of the Tribunal was unanimous.

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.



16 January 2023

Legal Member/Chair

Date