

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Reference number: FTS/HPC/LA/20/2136

The Parties:

Mrs Humaira Khan (“the Applicant”)

Saima Ahmed t/a Safe Letting (“the Respondent”)

Tribunal Members:

Alison Kelly (Legal Member), Elizabeth Williams (Ordinary Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the tribunal’), having determined that the Letting Agent has complied with the Letting Agent Enforcement Order (‘LAEO’) dated 20th December 2021, certifies that the Letting Agent has complied with the LAEO.

The tribunal’s decision is unanimous.

Reasons for decision

1. The tribunal issued a decision to the parties on 20th December 2021. The tribunal found that the Letting Agent had failed to comply with paragraph 18 of the Letting Agent Code of Practice (‘the Code’) and issued a Letting Agent Enforcement Order (LAEO) on the same date.
2. The LAEO required the Letting Agent, within one month of the date of service of the order to do the following:

pay the sum of £200 to the Applicant.

3. Evidence received that LAEO has been complied with
 - a) email dated 21st January 2022 from the Respondent's representative confirming that payment has been made
 - b) email from the Applicant's Representative dated 25th January 2022 advising that he had appealed and looked forward to returning the £200.

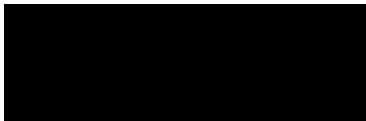
4. The tribunal then wrote to both parties, asking them to confirm whether they agreed that the actions required by the LAEO had been completed. The Respondent's Representative responded, confirming that the actions had been completed. The Applicant's Representative did not respond.

5. On the basis of the evidence before it, the tribunal is satisfied that the Letting Agent has complied with the terms of the LAEO. It therefore issues this certificate of compliance.

Rights of Appeal

Interms 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.

Chairperson

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08 April 2022 Date