

# Housing and Property Chamber First-tier Tribunal for Scotland

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First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”)  
Housing (Scotland) Act 2014 (“the Act”)

Decision with Statement of Reasons in terms of section 50 of the Act

Chamber Ref: FTS/HPC/LA/20/2535

Re.: Flat 1, 8 Riverview Place, Glasgow, G5 8EB (“the property”)

**The Parties: -**

Mr Peter Meyer, 81 Clarence Gardens, Glasgow, G11 7JW (“the tenant”)

Newton Letting, Suite 2.1, 116 Elderslie Street, Glasgow, G3 7AW (“the letting agent”)

**Tribunal Members: -** Simone Sweeney (Legal Member) Elaine Munroe (Ordinary Member)

## Decision

Following review in terms of section 50 (1) of the Act, the Tribunal determines that the letting agent has complied with the letting agent enforcement order (“LAEO”) of 21<sup>st</sup> July 2021. The decision of the Tribunal is unanimous.

## Background

1. Reference is made to earlier procedure and to the decision of the Tribunal and to the terms of the amended LAEO of 21<sup>st</sup> July 2021.
2. The amended LAEO required the letting agent to:
  1. *pay to the applicant the sum of £800;*
  2. *pay the sum to the applicant in full within 28 days of issue of this decision and order;*
  3. *provide to the Tribunal evidence of compliance with this order within 28 days of issue of this decision and order.*

3. By email dated 16<sup>th</sup> September 2021 the letting agent contacted the Tribunal's administration to indicate that payment had been made to the tenant. Attached was an email from the letting agent to the tenant referring to payment of £800 together with confirmation of a bank transfer of the funds to the tenant in the sum of £800.
4. The Tribunal's administration intimated the email from the letting agent of 16<sup>th</sup> September 2021 to the tenant on the same date and invited any response which the tenant may have to be made no later than 30<sup>th</sup> September 2021.
5. No response has been received from the tenant.
6. There is no evidence before the Tribunal to suggest that the tenant has not received the sum of £800 from the letting agent.
7. Having reviewed matters, as required by section 50 (1) of the Act, the Tribunal is satisfied that the letting agent has complied with the LAEO. Accordingly there is no requirement to notify the Scottish Ministers in terms of section 50 (2) of the Act.

### **Appeals**

8. 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 within 30 days of the date the decision was sent to them.

Legal Member, at Glasgow on 20th December 2021

