

Housing and Property Chamber

First-tier Tribunal for Scotland



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

Decision and Certificate of Compliance with the Letting Agent Enforcement Order: Housing (Scotland) Act 2014, section 50

Chamber Ref: FTS/HPC/LA/21/0295

The Parties:

Mr. Craig Millar, 18/8 Sinclair Place, Edinburgh EH11 1AH ("the Applicant")

Bondsave Ltd t/a Braemore Sales & Lettings, Orchard Braehouse, 30 Queensferry Road, Edinburgh EH4 2HS ("the Letting Agent")

Letting Agent Registration Number: LARN1905055

Tribunal Members:

Susan Christie (Legal Member and Chair)

Colin Hepburn (Ordinary/Surveyor Member)

Decision

The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal'), having made such enquiries as it saw fit for the purpose of determining whether the Letting Agent has complied with the Letting Agent Enforcement Order ("LAEO") dated 16 June 2021, determines that the Letting Agent has complied with its terms. The Tribunal's decision is unanimous.

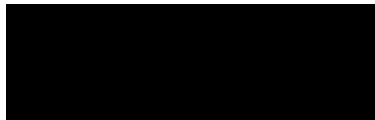
Reasons for Decision

1. Whereas in terms of their Decision dated 16 June 2021, The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Letting Agent has failed to comply with the Letting Agent Code of Practice ("the Code") and in particular that the Letting Agent has failed to comply with the following aspects of the Code: paragraphs 90, 91, and 93 of the Code.
2. The Tribunal required the Letting Agent to: -
 - (1) Pay to the Applicant the amount of Five Hundred Pounds Sterling (£500) because of the aforesaid failures to comply with the Code.

The Tribunal ordered that the payment specified in this Order be paid within the period of four weeks from the date of service of the Order.

3. The Parties confirmed to the tribunal that the terms of the Order have been complied with.
4. The tribunal is satisfied that the LAEO have been complied with and issues the Certificate of Compliance.

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.



Legal Member and Chair

29 October 2021