

# **Housing and Property Chamber**

## **First-tier Tribunal for Scotland**

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**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**

**Reference number: FTS/HPC/LA/21/0014**

**Re: 2/1, 1663 Dumbarton Road, Glasgow G14 9YD (“the Property”)**

**The Parties:**

**Mr Alvin Hadiono, 0/1 190 Earl Street, Glasgow, G14 0BU (“the Applicant”)**

**Let It Letting Agent, 123 Stockwell Street, Glasgow, G1 4LT (“the Letting Agent”)**

**Letting Agent Registration Number: LARN1806016**

**Tribunal Members:**

**Susan Christie (Legal Member and Chair)**

**Elizabeth Currie (Ordinary 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 28 April 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 28 April 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 86,90,91,93 and 108.

2. The Tribunal required the Letting Agent to take such steps as are necessary to rectify the failures listed above.
3. The Tribunal required the Letting Agent to: -
  - (1) Lodge with the Tribunal a written Procedure for Repairs Handling, including within it reference to target timescales for carrying out repairs, informing the tenant of the action it is intended to take on the repair and its likely timescale, and informing the tenant as soon as possible regarding any delay in carrying out repairs and the reason for it, and that is fully compliant with the terms of the Code.
  - (2) Issue a written apology to the Applicant in respect of the Letting Agents failure to comply with the aforesaid paragraphs of the Code.
  - (3) Pay to the Applicant the amount of Three Hundred Pounds Sterling (£300), as compensation for the stress and inconvenience suffered by the Applicant as a result of the aforesaid failures to comply with the Code.The Tribunal ordered that the steps and payment specified in this Order must be carried out and completed within the period of six weeks from the date of service of the Order.
4. The Parties confirmed to the tribunal that the terms of the Order have been complied with. The Letting Agent provided the tribunal with an updated version of the written Procedure for Repairs Handling.
5. The tribunal is satisfied that all parts of 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.**

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Legal Member and Chair

21 July 2021