

Housing and Property Chamber
First-tier Tribunal for Scotland



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

Letting Agent Enforcement Order (LAEO): Section 48(8) of the Housing (Scotland) Act 2014 (“The Act”)

Reference Number: FTS/HPC/LA/21/1561

Parties:

Jacob Webber, 3F1 91 Comely Bank Road, Edinburgh, EH4 1BJ (**“the Applicant”**)

Braemore, Orchard Brae House, 30 Queensferry Road, Edinburgh, EH4 2HS (**“the Respondents”**)

Karen Kirk (Legal Member) and Carol Jones (Ordinary Member)

Whereas in terms of the decision dated 2nd November 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 paragraphs 21, 26, 71, 90, 91, 93 and 108 of the Code, the Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failures listed above.

The Tribunal requires the Letting Agent to: -

1. Pay the sum of **£1492.50** to the Applicant, as compensation for the loss and inconvenience caused by the numerous breaches of the Code.
2. **Reply substantively to the Applicant’s formal complaint to them directly of 1st April 2021 within 21 days of receipt of the Tribunal’s decision paperwork and to confirm to the Tribunal that this step has been taken.**

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.

Please note that in terms of section 51(1) of the Act, a Letting Agent who, without reasonable excuse, fails to comply with an LAEO commits an offence liable on summary conviction to a fine not exceeding level 3 on the standard scale. Decision with

**Written Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber)
under Section 48 of the Housing (Scotland) Act 2014.**

Legal Member _____