

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(7) of the Housing (Scotland) Act 2014 (“the Act”)

Chamber Ref: FTS/HPC/LA/21/0802

Parties:

Ms Jane Barnes, 11H Stormont Street, Perth PH15NW (“the Applicant”)

Premier Properties , 45 King Street, Perth, PH2 8JB (“the Respondent”)

Letting Agent Registration Number : LARN1907010

Tribunal Members :

Valerie Bremner (Legal Member) and Ahsan Khan (Ordinary Member)

Whereas in terms of their decision dated 20 August 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 17,68,69,71,86,88,and 92 of the Code.

The Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failures in the paragraphs of the Code listed above.

The Tribunal requires the Letting Agent to :-

1.Pay the Applicant the sum of THREE HUNDRED POUNDS (£300) within 6 weeks of the date of receipt of this order as compensation for the stress and inconvenience suffered as a result of the failure to comply with paragraphs 17,71 and 86 of the Code.

2.Provide the Tribunal within 6 weeks of receipt of this order written evidence of procedures they have put in place to ensure that signed copies of inventories are returned to tenants during their tenancies. The Respondent is required to send each tenant of rented properties which they currently manage as a Letting Agent a copy of their signed inventory and to provide evidence to the Tribunal within 6 weeks of receipt of this order that this has been done.

3.Provide the Tribunal within 6 weeks of receipt of this order written evidence which confirms that all tenants in rented properties which the Respondent currently manages as a Letting Agent have been advised of how they should report any requirements for repairs at the rented property and the timescales within which these repairs will be effected.

The Tribunal orders that the steps and payment specified in this order must be carried out and completed within the period of 6 weeks from the date of receipt of this order.

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 S51(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.

Legal Member and Chair

Date : 20th August 2021