

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/20/1509

Parties:

Mrs Marilyn Henderson Wilson, 9 James Inglis Crescent, Cupar KY15 4GX ("the Applicant")

And

Fife Properties Limited, having a place of business at 22 Bonnygate, Cupar KY15 4LE, incorporated in Scotland (SC301960) and having their Registered Office at Caledonian House, Links House Leven KY8 4HS ("the Respondents")

Tribunal Members: George Clark (Legal Member) and Lori Charles (Ordinary Member)

Whereas in terms of their decision dated 4 February 2021, The First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Respondents have failed to comply with the Letting Agent Code of Practice ("the Code") and in particular that the Respondents have failed to comply with Paragraphs 17, 19, 21, 26, 37, 39, 73 and 108 of the Code;

The Tribunal requires the Respondents to pay to the Applicant the amount of £400 as compensation for the loss suffered by the Applicant as a result of the failure to comply with the Code.

The Tribunal orders that the payment specified in this Order must be carried out and completed within the period of 7 days from the last date on which its Decision may be appealed.

This Order is Warrant for all lawful execution thereon.

Right of Appeal

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.

4 February 2021

Legal Member and Chair

