



**First-Tier Tribunal for Scotland (Housing and Property Chamber)**

**Letting Agent Enforcement Order (LAEO); Section 48(7) of the Housing (Scotland) Act 2014 (“The 2014 Act”)**

**Chamber Ref; FTS/HPC/LA/20/2303**

**Re; Property at 12 Castlehill, Cupar, Fife, KY15 4HA (“the Property”)**

**Parties;**

**Mr. Faheem Parkar, 12 Castlehill, Cupar, Fife, KY15 4HA (“the Applicant”)**

**Rollos Law LLP, 67 Crossgate, Cupar, Fife, KY15 5AS (“the Respondent”)**

**Tribunal Members;**

**Yvonne McKenna (Legal Member)**

**Helen Barclay (Ordinary Member)**

Whereas in terms of the decision dated 15<sup>th</sup> March 2021 following the Hearing on the 5<sup>th</sup> March 2021, The First-tier Tribunal for Scotland (Housing and Property Chamber) (‘the Tribunal’) determined that the Respondent Letting Agent has failed to comply with the Letting Agent Code of Practice (“The Code”) and in particular that the Respondent Letting Agent has failed to comply with paragraphs 26, 45, 86, 108, 110, 112 and 113 of the Code, the Tribunal now requires the Respondent Letting Agent to take such steps as are necessary to rectify the failures listed above. The Tribunal requires the Respondent Letting Agent to: -

1. Pay the sum of £300 (THREE HUNDRED POUNDS) to the Applicant as compensation for the distress, stress and inconvenience caused by the Respondent’s conduct in breach of the Code.
2. Issue a formal apology to the Applicant in respect of the Respondent’s failure to comply with the above-mentioned paragraphs of the Code.



3. Provide documentary evidence to the Tribunal of its compliance with the above by sending such evidence to the office of the Tribunal by e-mail or by recorded delivery post.
4. To lodge with the Tribunal a written complaints procedure that is fully compliant with the terms of the Code.
5. To lodge with the Tribunal a written procedure and process for dealing with repairs and maintenance that is fully compliant with the terms of the Code.
6. The Tribunal order that the steps and payment specified in this Order under paragraphs 1-5 inclusive must be carried out and completed within the period of 30 days from the date of service of this LAEO and the Tribunal's written decision accompanying this LAEO.

**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.**

**Yvonne McKenna Legal Member and Chair  
18<sup>th</sup> March 2021**