

# Housing and Property Chamber

## First-tier Tribunal for Scotland

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

**Letting Agent Enforcement Order in terms of Section 48 (7) of the Housing (Scotland) Act 2014 (“the Act”)**

**Chamber Reference: FTS/HPC/LA/22/0405**

**Re: Property at 43 Earn Court, Grangemouth, FK3 0HT (“the Property”)**

**The Parties:**

**Mrs Carol Judge, 15 Hillhead Drive, Falkirk, FK1 5NG (“the Applicant”)**

**Taylor William Lettings and Estate Agent, 108A Main Street, Larbert, FK5 3AS (“the Respondent”)**

**Tribunal Members:**

**Petra Hennig McFatrige (Legal Member) and Elizabeth Currie (Ordinary Member)**

This document should be read in conjunction with the decision of the First-tier Tribunal (“the tribunal”) under section 48(6) of the 2014 Act of the same date.

Whereas in terms of their decision, 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”) the Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failure(s) and makes the following **Letting Agent Enforcement Order (“LAEO”)**..

**Within 2 months of intimation of the LAEO the Letting Agent must:-**

**pay to the Applicant compensation of a total amount of £550 and produce proof of payment of said sum to the Tribunal**

**Please note that in terms of section 51(1) of the 2014 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. Where the Tribunal decides that a Letting Agent has failed, without**

**reasonable excuse, to comply with a LAEO the Tribunal must notify the Scottish Ministers under section 50 of the 2014 Act.**

**Appeals:**

**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.**

Petra Hennig McFatridge  
**Chairing and Legal Member**  
**21 July 2022**