

Housing and Property Chamber
First-tier Tribunal for Scotland



Letting Agent Enforcement Order ('LAEO')

Housing (Scotland) Act 2014 Section 48(7) ('the Act')

Chamber Ref: FTS/HPC/LA/19/0018

Property at 11, 1F1 West Maitland Street, Edinburgh EH12 5DS

('the property')

PARTIES:

Mr Aeneas Murray residing at Boite 4, Flat 11, 1 Rue Simmons, 1060 St Gilles, Brussels, Belgium

***Represented by Mr Alexander Murray (referred to as 'Mr Murray Senior'),
Chateau de Vinsac, 31480 Lagraulet-St Nicolas, France***

('the Applicant')

Letslet Property Management, 5 Clerk Street, Edinburgh EH8 9JH.

***Represented by Mr David Halliday, Solicitor, Halliday Campbell WS, Solicitors,
7b Tweeddale Court, 14 High Street, Edinburgh EH1 1TE***

('the Respondent')

TRIBUNAL MEMBERS:

Joseph C Hughes (Legal Member)

Janine Green (Ordinary Member)

Whereas, in terms of their decision of 28th October 2019, the First-tier Tribunal for Scotland (Housing and Property Chamber) ('the Tribunal') determined that the Respondent has failed to comply with Paragraphs 18, 32(j), 32(l), 32(m), 32(o), 33,57,105, 106, 110, and 112 of the Letting Code of Practice ('the LACP'):

The Tribunal requires the Respondent to take the following steps:

- (i) To lodge with the Tribunal -
 - (a) a copy of the Respondent's written Terms of Business and
 - (b) a copy of the Respondent's written Complaints Policy; and
- (ii) To pay the Applicant the sum of FIVE HUNDRED POUNDS (£500) STERLING as compensation for the loss and inconvenience caused by the collective breaches of the Code, and to lodge written confirmation of payment thereafter with the Tribunal.

The Tribunal order that the steps and payment within this Order must be carried out, and completed by the Respondent, within the period of 30 days from the date of service of this Order.

In terms of Section 46 of the Tribunals (Scotland) Act 2014, 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.

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.

28th October 2019

'Joseph Christopher Hughes'

Legal Member

[Housing and Property Chamber]