

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/21/0150

The Parties:-

Miss Georgia Buchan, 36 Old Coach Road, The Village, East Kilbride, G74 4DT (“the Applicant”)

Ross and Liddell, 60 St Enoch Square, Glasgow, G1 4AW (“the Respondent”)

The Tribunal:- Mrs Ruth O'Hare, Legal Member and Mrs Mary Lyden, Ordinary Member

Whereas in terms of their decision dated 12 April 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 the following aspect of the Code :

• Paragraphs 18, 62, 97 and 98

the Tribunal now requires the Letting Agent to take such steps as are necessary to rectify the failures listed above.

The Tribunal requires the Letting Agent to:-

- (i) provide clear written procedures to the Tribunal, outlining the process for managing the end of a tenancy and for preparing tenancy agreements; and
- (ii) to make payment to the Applicant by way of compensation in the sum of £600.77.

The Tribunal orders that the actions required at (i) and (ii) must be completed within the period of 28 days from the date of service 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 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.

Legal Member and Chair
12 April 2021