

Housing and Property Chamber

First-tier Tribunal for Scotland



Statement of Decision and Certificate of Compliance by the First-tier Tribunal under Section 50(1) of the Housing (Scotland) Act 2014

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 comprised:-

Mrs Ruth O’Hare - Legal Member
Mrs Mary Lyden - Ordinary Member

DECISION

The Tribunal determined that the Letting Agent Enforcement Order had been complied with and therefore issued a certificate of compliance.

BACKGROUND

- 1 By application dated 18 January 2021 the Applicant sought an order against the Respondent due to an alleged failure to comply with the Letting Agent Code of Practice.
- 2 By decision dated 12 April 2021 (“the Decision”) the Tribunal determined to make a Letting Agent Enforcement Order (“LAEO”) against the Respondent. In terms of the said LAEO the Tribunal required the Respondent to take the following action:-
 - (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.

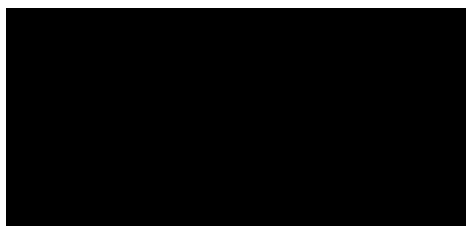
The Tribunal ordered the actions to be taken within 28 days of the date of service of the LAEO on parties.

- 3 By email dated 11 May 2021 the Respondent provided a copy of written procedures outlining the process for managing the end of a tenancy and preparing tenancy agreements. The Respondent further confirmed that a cheque had been sent to the Applicant for the sum stated in the order and said cheque had been cashed.
- 4 By email dated 25 June 2021 the Applicant confirmed that she had received payment in the sum of £600.77.

REASON FOR DECISION

- 5 Section 50 of the Housing (Scotland) Act 2014 provides that the Tribunal may, after the period within which a letting agent enforcement order requires steps to be taken, review whether the letting agent has complied with the order. Both parties had been given the opportunity to comment on whether the LAEO in this case had been complied with. The Tribunal was satisfied based on their responses that the Respondent had complied with the LAEO and determined to issue this certificate of compliance.
- 6 The decision of the Tribunal was unanimous.

In terms of Section 46 of the Tribunal (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.



Legal Member and Chairperson of the Tribunal
Dated: