

LICENSING COMMITTEE INFORMATION SHEET

12 December 2023

Public Application

TYPE OF APPLICATION: SHORT TERM LET LICENCE APPLICATION
EXISTING HOST-SECONDARY LETTING

APPLICANT: MERCY BROWN

PROPERTY MANAGER: MERCY BROWN

ADDRESS: FLAT 34 FRASER HOUSE, 9 MARKET STREET, ABERDEEN

INFORMATION NOTE

- Application Submitted 18/05/2023
- Determination Date 17/05/2024

This Short Term Let licence application is on the agenda of the Licensing Committee for the reason that 3 representations/objections were submitted to the Private Sector Housing Team.

If, after consideration of the representations/objections, the Committee is minded to grant the Short Term Let licence, it may do so since at the time of drafting this report, the necessary upgrading works and certification have been completed.

DESCRIPTION

The property at Flat 34 Fraser House, 9 Market Street, Aberdeen, is the subject of this new Short Term Let licence application and its accommodation comprises 1 bedroom, lounge, kitchen and bathroom. The applicant wishes to accommodate a maximum of 2 guests, which is acceptable in terms of space and layout. The location of the premises is shown on the plan attached as Appendix A.

CONSULTEES

- Police Scotland
- Scottish Fire & Rescue Service
- Aberdeen City Council's Planning Team
- A public Notice of Short Term Let Application was displayed outside the building, alerting the public to the licence application.

REPRESENTATIONS/OBJECTIONS

- Police Scotland – no objections
- Scottish Fire & Rescue Service – no objections
- Aberdeen City Council's Planning Team – no objections
- One objection email from Aik Shieng Ting (Attached as Appendix B)
- One objection email from Lewis McArthur (Attached as Appendix C)

- One objection email from Graham Barclay (Attached as Appendix D)
- Letter of representation from the applicant Mercy Brown (Attached as Appendix E)

The objections were received within the statutory time period therefore the Council must consider.

COMMITTEE GUIDELINES/POLICY

All applications for Short Term Let licences are dealt with in accordance with the Scottish Government's document:

[Short term lets - licensing scheme part 2: supplementary guidance for licensing authorities, letting agencies and platforms](#)

GROUNDS FOR REFUSAL

This application is being dealt with under the provisions of '[Civic Government \(Scotland\) Act 1982 \(Licensing of Short Term Lets\) Order 2022](#)' (the 2022 Order)

Available [grounds of refusal](#) are as follows:

A licensing authority shall refuse an application to grant or renew a licence if, in their opinion—

(a)the applicant or, where the applicant is not a natural person, any director of it or partner in it or any other person responsible for its management, is either—

(i)for the time being disqualified under section 7(6) of this Act, or

(ii)not a fit and proper person to be the holder of the licence;

(b)the activity to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself;

(c)where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to—

(i)the location, character or condition of the premises or the character or condition of the vehicle or vessel;

(ii)the nature and extent of the proposed activity;

(iii)the kind of persons likely to be in the premises, vehicle or vessel;

(iv)the possibility of undue public nuisance; or

(v)public order or public safety; or

(d)there is other good reason for refusing the application;

OTHER CONSIDERATIONS

- Landlord Registration is not a requirement of Short Term Let licensing.
- All upgrading work required by the Private Sector Housing Officer, including certification, has been completed.
- The Council's Anti-Social Behaviour Investigation Team (ASBIT) has no record of any complaints in respect of Flat 34 Fraser House, 9 Market Street, Aberdeen.
- There are no Granted Short Term Let licenses on Market Street.
- The property is currently unlicensed. However as the applicant was an existing operator before 01 October 2022, the property is currently operating as a Short Term Let until the Licence application is determined.
- Information within the Deed of Conditions is not a ground for refusing a Short Term Let licence within the legislation. Licensing cannot be used to enforce other legal issues and that would have to be enforced via other means.
- One of the objections mentions the Notice of Display. The Notice was initially displayed on 02 June 2023. The Notice was de-faced and the Private Sector Housing Officer requested the applicant re-display a new Notice and extend the period of display, which the applicant complied with. The Notice was removed correctly by the applicant on 2nd July 2023. An Officer verified the Notice of Display was displayed. The legislation only requires the Notice to be displayed "on or near" the premises.
- The objection within Appendix C, mentions additional material. If Committee is minded to view the documentation it can be circulated.
- A lockbox/key box is not a requirement of a Short Term Let licence. Permission from owners within the building is a requirement before installation of a lockbox/key box within a communal area.

'A'



'B'

From: Jason Ting
Sent: Friday, June 9, 2023 3:57 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Objection to Licence Number AC21478P

Good afternoon,

I want to object to the Short Term Let Licence No: AC21478P. Address as follows:

Flat 34, Fraser House
9, Market Street
Aberdeen
AB11 5PD

The objection is based on a number of factors within the building and I also refer to the "Deed of Conditions" as attached and listed here:

5.1

Each proprietor shall use and occupy his Unit predominantly as a private dwellinghouse and not sub-divide it.

5.8

The Units shall not be occupied or used in any manner or form or for any purpose which may be an injury to the amenity of the neighbourhood or a nuisance to nearby Proprietors, tenants and others.

Based on many issues we have dealt with as owners/residents, the "Deed of Conditions", highlighted above under section 5.8 clearly do not align with the issues & further potential issues that can be created by "Short Term Letting" within this building. Based on this alone, I do not understand why "Short Term Lets" would qualify to be acceptable in a building such as this. There is no CCTV (I have requested this often) or concierge/policing of the building whatsoever in here. There have been parties and sex work linked to "Short Term Lets" also, which again is against the rules clearly stipulated by Airbnb on the following link under "Illegal & Prohibited Activities":

<https://www.airbnb.co.uk/help/article/3064#:~:text=Incall%20commercial%20sex%20work%3A%20A,or%20offer%20paid%20sexual%20services.>

Incall commercial sex work: A stay, experience or its surrounding property should not be used for paid sexual services, such as erotic massages or prostitution.

Procuring sex work: Guests should not request and Hosts should not promote or offer paid sexual services.

I can personally confirm I have witnessed what is highly likely sex work linked to this property and this has been reported to police. My partner & 15 year old daughter witnessed this also. Men hang around the main entrance door on the street and women come down and let them in. Considering I've seen the same women come down on multiple occasions to let various men in, it is highly likely linked to this activity. If we had CCTV in the building, this would be very clearly proven, and other residents have clearly witnessed these events also. Although I do not frown upon the sex work industry as a whole, this building via "Short Term Lets" should not be used and normalised for this behaviour, especially due to the shared entrances/spaces & communal areas within the building. This happening in front of my daughter and the fact there are other children in this building make the use of properties for these activities even more unacceptable.

I have spoken with the host of the property in person on many occasions and have advised this is not personal, but unless there is a major shift in policies and security within the building, I cannot condone the use of "Short Term Lets" within this building. The stress and anxiety that has been caused by certain parties, guests and the inappropriate usage of the properties have caused a great deal of distress to myself and other residents.

The above reasons are why I have to object to licence number AC21478P. I hope this is in order and that my signature below makes this official. If not, please contact me as soon as possible so that I can amend any of this accordingly.

Signed:

Aik Shieng Ting

'C'

Lewis McArthur

9th June 2023

Aberdeen City Council
Marischal College
Aberdeen
AB10 1AB

Relevant Property

Flat 34, Fraser House, 9 Market Street, Aberdeen, AB11 5PD.
MERCY OLATUNBOSUN Brown
Licence Number: AC21478P
Application Reference: HSTL516921478
[Herein referred to as applicant]

To whom it may concern,

I am writing in relation to the above application reference to formally object to the Application for a Licence for a Short Term Let. Below you will find the justifications for my objections, but should you require further information on any of the points, please do not hesitate to contact me.

Damage to Exterior Property and Risk to Safety of Residents – Lockboxes and Emergency Doors

Fraser House is plagued by numerous short term let businesses, which resulted in approximately five or six lockboxes being installed on the building's exterior (front door, direct street access to Market Street with minimal security measures in place). The property manager, JAMES GIBB, sent communications (please see "ATTACHMENT 01 – JAMES GIBB EMAIL") via email (dated 3rd August 2022) to all property owners advising that lockboxes were not permitted on the grounds of appearance and the significant security risk these present.

On 14th December 2022, my neighbour (details available on request) and I encountered the applicant installing a lockbox to the exterior of the property (shown in attachment "01-LOCKBOX") in direct contravention with the property managers' strict guidance. It was at this time, the aforementioned neighbour and I attempted to raise this with the applicant. We also explained that the applicant did not ask or receive majority approval from Fraser House residents for this change to a shared part of the building. The applicant became aggressive and refused to acknowledge any wrongdoing, stating that she could do what she wanted to the exterior of the building since she owned a property.

As seen in attachment "01-JAMES GIBB EMAIL", clients of the applicant are also frequently exiting through the clearly marked emergency exit. Despite reminders, it is impossible for the applicant to enforce this as a policy. There are obvious risks to security, whereby any non-resident can enter the building this way. There is the additional risk of invalidating the buildings insurance policy, which could in turn result in significant costs to the residents of Fraser House.

The requirement to have a lockbox while hosting short-term lets presents a significant security risk to all residents of Fraser House, and any damages caused to the building does incur costs to all residents.

Violation of Title Deed Conditions – Private Dwellinghouse

Please see attachment "02 – TITLE DEEDS" and refer to section 5.1, "Each Proprietor shall use and occupy his Unit predominantly as a private dwellinghouse and shall not sub-divide it." Using the unit as a short-term let business is in direct contravention of this section, as due to the very nature of the business the owner is incapable of using it as a private dwellinghouse.

Violation of Title Deed Conditions – Nuisance to Proprietors and Short Term Let Client

Issues

Please see attachment "02 – TITLE DEEDS" and refer to section 5.8, "The Units shall not be occupied or used in any manner or form of for any purpose which may be an injury to the amenity of the neighbourhood or a nuisance to nearby Proprietors, tenants and others."

Numerous incidents involving the applicant's clients have occurred. There have been several calls to the Police non-emergency line over noise complaints and parties. This is also highlighted in attachment "01-JAMES GIBB EMAIL", clearly showing this issue is a significant problem within the building.

Most recently, I had to call the police because the short term let was in use by a suspected prostitute (suspicions justified by neighbours observing the suspected prostitute admitting her own clients to the building in the communal areas). It is near impossible for the applicant to appropriately screen all clientele of the short term let, and there are several vulnerable residents of this building (including young children).

Generally, the clients constantly allow fire doors within the property to slam which causes a disturbance and I have had to speak to several of the applicant's clients about this but due to each client being different this is a never ending battle, the applicant claimed at one point to have had alterations done to the front door of the property but this has had no noticeable effect.

The unpredictable nature of short term let clientele frequenting a building with so many common areas presents a clear nuisance to the residents of the building, and again, a significant safety risk.

Applicant Conduct – violating terms of Licence Application

It should also be noted that the applicant had attempted to have this short term let application pass without the notice of other residents of the building. The application only came to my attention after I reported the alleged prostitution to the police, AirBnB, and Aberdeen City Council. I went on to the Aberdeen City Council website and found a link to a short term let property register so decided to do a search and found that the applicant had made an application on the 18th of May 2023 but did not show notice of such an application on or around the property, I made this known in my complaint email to Aberdeen City Council which I sent on the 29th of May 2023. This is a clear violation of paragraph 6 of the ABERDEEN CITY COUNCIL – SHORT TERM LETS LICENSING – GUIDANCE NOTES. The applicant put up a notice on or around the 1st of June 2023 presumably after an inspector was notified by comments raised in my complaint email, however the notice had been stuck outside the building away from the front door (please see attachment 03 - EXTERIOR 01) and appears to have been tampered with so that information at the bottom has been cut away (03 - EXTERIOR 02). No such notice has been displayed directly outside the property (03 - INTERIOR 01). As of the 8th of June 2023 there is no longer a notice displayed outside of the building.

From the aforementioned attachments, you can see that this notice was not only tampered with, and not protected from the elements, but the placement is not on prominent display (tucked away in a recess of the building exterior only – not displayed at the applicants property either). This, coupled with the length of time the notice was posted (less than 21 days of display), is again a clear violation of paragraph 6 of the ABERDEEN CITY COUNCIL – SHORT TERM LETS LICENSING – GUIDANCE NOTE.

To conclude, the grounds for my objection are that the licence would result in a significant security risk to all residents of Fraser House, a significant nuisance to all residents of Fraser House and may also present a significant financial risk to all property owners within Fraser House.

The conduct of the applicant only amplifies these issues, if they are so flagrant with the basic guidance on licence applications; I have no confidence that they will take any measures to alleviate the concerns of the residents should their licence application be granted.

I ask that this Application for a Licence for a Short Term Let be denied.

Should you require further information, or have any questions about the content of these objections, please do not hesitate to contact me.

Thank you for your consideration.

Yours Sincerely,

Lewis McArthur



'D'

From: GRAHAM BARKSTAR
Sent: Saturday, June 10, 2023 1:08 PM
To: ShortTermLets <ShortTermLets@aberdeencity.gov.uk>
Subject: Objection to Licence Number AC21478P

Good afternoon,

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Flat 34, Fraser House
9, Market Street
Aberdeen
AB11 5PD

The objection is based on a number of factors within the building and I also refer to the "Deed of Conditions" as attached and listed here:

- **5.1**
Each proprietor shall use and occupy his Unit predominantly as a private dwellinghouse and not sub-divide it.
- **5.8**
The Units shall not be occupied or used in any manner or form or for any purpose which may be an injury to the amenity of the neighbourhood or a nuisance to nearby Proprietors, tenants and others.

Based on many issues we have dealt with as owners/residents, the "Deed of Conditions", highlighted above under section 5.8 clearly do not align with the issues & further potential issues that can be created by "Short Term Letting" within this building. Based on this alone, I do not understand why "Short Term Lets" would qualify to be acceptable in a building such as this. There is no CCTV (I have requested this often) or concierge/policing of the building whatsoever in here. There have been parties and sex work linked to "Short Term Lets" also, which again is against the rules clearly stipulated by Airbnb on the following link under "Illegal & Prohibited Activities":

<https://www.airbnb.co.uk/help/article/3064#:~:text=Incall%20commercial%20sex%20work%3A%20A,or%20offer%20paid%20sexual%20services.>

- **Incall commercial sex work:** A stay, Experience or its surrounding property should not be used for paid sexual services, such as erotic massages or prostitution.
- **Procuring sex work:** Guests should not request and Hosts should not promote or offer paid sexual services.

I can personally confirm I have witnessed what is highly likely sex work linked to this property and this has been reported to police. My partner & 15 year old daughter witnessed this also. Men hang around the main entrance door on the street and women come down and let them in. Considering I've seen the same women come down on multiple occasions to let various men in, it is highly likely linked to this activity. If we had CCTV in the building, this would be very clearly proven, and other residents have clearly witnessed these events also. Although I do not frown upon the sex work industry as a whole, this building via "Short Term Lets" should not be used and normalised for this behaviour, especially due to the shared entrances/spaces & communal areas within the building. This happening in front of my daughter and the

fact there are other children in this building make the use of properties for these activities even more unacceptable.

I have spoken with the host of the property in person on many occasions and have advised this is not personal, but unless there is a major shift in policies and security within the building, I cannot condone the use of "Short Term Lets" within this building. The stress and anxiety that has been caused by certain parties, guests and the inappropriate usage of the properties have caused a great deal of distress to myself and other residents.

The above reasons are why I have to object to licence number AC21478P. I hope this is in order and that my signature below makes this official. If not, please contact me as soon as possible so that I can amend any of this accordingly.

Signed:

Graham Barclay

A large black rectangular redaction box covering the signature area.

'E'

Aberdeen city council

Dear Sir/Madam,

REPLY TO THE OBJECTION LETTER TO THE APPLICATION FOR LICENCE FOR A SHORT TERM LET (STL)

PREMISES: FLAT 34 FRASER HOUSE, 9 MARKET STREET, ABERDEEN

LICENSING COMMITTEE: WEDNESDAY, 6 SEPTEMBER 2023

I refer to the objection letter for my Short Term Let licence application, which I received on the 13th of June.

Fraser house is built as a self-catering apartment, was part of the Micasa Aparthotel, (can provide link on request), the council also informed me when I applied for planning that planning permission permit was not required when I applied for my short-let licence,

I bought my property in 2020 as a second holiday home, when I visited the property I observed that it has very little storage and I was informed by the selling agent that the building was purposely built as a short let properties, they said it was ideal for investors because all furniture all fittings were included in the sale, but now been sold to different landlords, I also noticed that it is a block of flats in total they are 35 flats, It fits my purpose of investment so I bought it.

It is a building with 35 tenants and families, I observed that for anyone to buy the property and live in it as their main home requires a high level of tolerance, I don't have this due to my mental health disability, I asked the letting agent if I could install a key safe because I would like my son, my family and my guests to have access to keys anytime they come to the flat and I was told that this is ok, my key safe was installed in a corner outside property in July 2020.

Regarding the key safe mentioned above, in December 2022 my key safe which I installed in 2020 was vandalized and removed with my keys inside it, this is a theft and has been reported to the police, I will elaborate on this in the hearing coming up in September.

Harassment: On 14th December 2022, I arranged to have my key safe reinstalled in another corner of the building with an existing hole (already there not made by myself) this area is close to the entrance of the lounge bar beside the Fraser house wall.

I was harassed and threatened by two of the objectors to remove the lock, I explained that this is not a new lock, it has been in front of the building since 2020, and was removed and vandalised that I was just replacing it, in their letter that claimed that I was aggressive, this was not the case as it was witnessed by the locksmith I hired who was also surprised at their hostility towards myself, there were these 2 gentlemen shouting at me over this, one of the

objectors came close to me and said in a threatening voice "Remove it " I was alone and faced by these 2 men .

I also tried to explain that I have personal reasons for installing the safe, in an email sent to the residential factor of Fraser house on 23rd December 2022, (will provide evidence)where I explained that I would not like my personal mobile phone connected to the fob used in accessing each flat, quite often other tenants guests rings other people's flat to gain access to the building, this has happened to many residents and due to my mental health disability and having been in and out of hospitals, many surgeries, blood disorder and recently diagnosed with severe menopausal symptoms etc., I have been accessed and diagnosed with mental health disability under the equality act 2010, I am on many medications and I just couldn't cope with extra stress from guests of other tenants ringing my flat at odd hours .

Installing a key safe with instructions provided to my guests on check in is the only safe way for me and also to prevent in hindrance to other tenants, my guests are provided with relevant information to access the keys, and NO Unauthorized person can open or brake the safe without having the code, IT IS SAFE AND SECURE , my guests don't ring other people's flat through the intercom connected to people's mobile phones, because they have instructions to access keys safe and only use that facility to gain access.

Both these constant harassments and my key safe theft has been reported to the police, so they are aware of the situation.

I didn't have to go to the extent to provide my disability status as this is personal but I have been constantly harassed by two of the objectors, everything that goes wrong in the Fraser house building is blamed on Airbnb, there was an incident on the first floor when some teenagers were coming into the building through the back door, before we eventually found out it was teenagers coming from the streets to sit and mess the lounge area on that floor, It was said initially that they were vandalised by Airbnb guests which was not the case as was later on discovered , it was also claimed it was observed that Airbnb guests was speaking about stealing the artwork etc., This is not correct, hearsay, spreading malicious rumours, one of the objectors constantly speaks about how he very much hated having them in the building and want to get rid of Airbnb etc..

Fire door: My neighbour, one of the objectors complained to me once of the guest slamming doors in 2021, I fixed this issue to reduce this occurrence, I asked him after if there was any disturbance, he said its ok now and he has not mentioned this again to me until when I received letter of objection, I have also observed this person's hostility towards me since I bought this property in 2020 even before I started Airbnb business

On the 5th of October 2022 I could not gain access to my flat and was told to use the intercom of which I was not connected to, the fob didn't work, I sent email to the residential factor about this, I still don't know what happened, but I could not go to my flat on that day, I was denied access to my own home .

My Flat is managed by Airbnb, they provide and manage all the reservations, it was said in the objection letter that I rent my flat to sex workers and that my flat is linked to sexual worker, this is not correct, it's a character assassination, and this is personal .

It is an attack on my reputation as a mother, wife and in a career job, I have been a role model to my 25 year son who just graduated from Herriot Watt and will not tolerate any attempt to deform my character just because they don't like Airbnb , this is unacceptable, there was a WhatsApp group created for owners and tenants of Fraser house apartment, I have asked to be invited to the group but rejected, one of the objectors [REDACTED] is one of the admins.

I have informed Airbnb and they have confirmed to me that there were background criminal checks done regarding each guest before booking, guests states their purpose of travelling before a confirmed booking, so far I have been a host to business people working from home ,students, many tourists, couple(holiday makers) and never a sex worker, (happy to provide my booking calendar which shows the type of people I host), my maximum occupancy is 2 people, no parties allowed in my flat (the only noise is from residents hosting parties and noises) I have received a negative review from a guest because of tenants noises and parties etc, and this is not Airbnb guests but tenants in Fraser house .

I have had many guests travelling to Scotland from Europe, they stay in my flat because its closer for them to be able to visit the Scottish famous castles (evidence will be provided),

One of the objectors stated in his letter that guests use the back door emergency exit to exit the building, the only person I have seen on numerous occasions using that back door is himself, on the day he harassed me to remove my lock, he used the emergency exits, I have also seen other tenants use them.

I have a copy of the deed received when I purchased my property , I was provided when I bought property, the deeds has been misinterpreted to suit their purpose of stopping Airbnb in the building, there are many of us operating Airbnb business and we are all black people, it makes me wonder if we were all white , will we be treated and not accepted in the same manner ? is this about black people's business and trying to make a living ? There were many hostilities towards black people trying to access the building to visit family, I have seen a resident pushed a black lady and slammed the door on her hands when she was standing and tried to get access into the building. I asked these questions because I would like some clarity, I am not making accusations but seeking understanding.

Fraser House was bought by many landlords, many of the flat owners don't live on the property, they were all rented out either short or long term let of which Airbnb belongs and this does not breach the signed deeds in any way.

I have on numerous occasions witnessed permanent resident throwing parties and not Airbnb, my flat does not allowed parties, its included in my house rules and signs in my flat against this and I also follow up each time a guest checks in.

There were cameras installed in common areas of Fraser house on 1st and 2nd floor, don't know if there is a hidden camera on the 3rd floor, without all owners informed and their written agreement, this is unlawful and unacceptable.

Fraser house is in city centre with many pubs, loud music at night, and bars beside and all around it, many drunk people around the areas, sometimes drug addicts hang around on the other side of the building, and not suitable in my opinion for people to raise young children, This is more worrying for me as a parent than one of the objectors claimed that his 15 year old saw a sex walker going in to my flat, he is on the second floor and my flat is on the third floor, I am not the only person managing Airbnb business and there are many others, How does he know that this person is a sex worker or going to my flat, I don't use the intercom, whenever I go to the flat I always come downstairs to let plumbers or electrician in to the building to do repairs etc.. , I have never seen men lined up outside the properties and have spoken to many residents who are happy to be a witness **and they all said they have never seen this either.**

My property provides economic benefit to tourism and hospitality sector, many of the guests travels from Australia, Sweden, Germany Norway, Denmark, Canada etc. and come to Scotland to see the famous **Scottish castle and can provided evidence of this from my various bookings.**

Violating terms of License Application.

There were accusations targeted at myself that I wanted to have the short term let notice pass without notice of residents , I followed instructions by Airbnb and pasted the notice as per Airbnb instruction, I received an email from Aberdeen city council explaining that this is an automated and

how it works, and I have displayed the notice and followed instructions laid out by the council, the previous notice I pasted was removed and I don't know till now who removed it , but one of the objectors (my neighbour) seems to know when this was removed, pasted back on etc..

It is not my intention to hide the notice, when I made the application and submitted to Aberdeen city council, I was advised to wait for further instruction of when to paste the short-term notice.

I pasted the notice in a corner to protect from bad weather on the Fraser house building so everyone can see it and not just Fraser house resident as it is a **public notice**, I was a bit sceptical about pasting right on Fraser house door because there are always issues when there is any postings on the building, one of the objectors etc complains about anything on the wall, it was noticeable enough for one of the objectors (my neighbour) to see it but he still claimed that I tried to hide it .

On the 4th of June, when I went to the flat the sign was there , on the 9th of June I passed the Fraser building around 11pm after a night out, went to my flat to pick up laundry I had done earlier and I saw one of the objectors [REDACTED] standing outside the building, I said hello , all he was complaining to me was about a claim to have seen a prostitute going to my flat, I was shocked and I said to him that is not the case because my flat is managed by Airbnb, next day I phone Airbnb and there was nothing of such (evidence will be provided at the hearing)

Next day on the 10th of June early morning, I went to the flat and observed that the notice was no longer there, I saw signs that someone opened the plastic on top of my key safe, although they cannot break in as its secure.

I am not making an accusation but can only say what I saw, the only person I saw in from of the building after 22:00 pm the night before was one of the objectors [REDACTED] witnessed by my taxi driver.

Procuring sex Worker: I noticed that one of the objectors [REDACTED] mentioned this in his letter, I would like to understand if he is accusing me of requesting, promoting, or offering sexual services as mentioned in his letter. If this is the case, I would request the objector [REDACTED] to bring forward his evidence or withdraw his accusation with an apology, I will not tolerate any attempt to sabotage my reputation .

It is ok not to like Airbnb business, but it is not ok to spread false allegations and rumours about another person, this is evil and unacceptable.

In conclusion

I bought this property at Fraser house to make extra income and be able to pay my bills, high cost of living hits us all ,I work part time (I can't do full time due to my current deteriorating health status) , I chose not to be on benefit so I can have a purpose in life and be in a situation where I can make a positive difference to someone's life and give back to my community as well,

if truly my Airbnb business is impacting anyone in Fraser house, I am approachable and will work with other tenants and landlord to reduce impact to minimum, I am a good listener and a very considerate person, I have updated my policies with many rules and regulations, I closely monitor the kind of people that Airbnb book in to my flat and that is why I have added more checks including background checks on guests, maximum occupancy for my flat is 2 , residents and other landlords in the building can have up to 10 people in their flat including children while my maximum occupancy is limited to only 2 people etc..

Airbnb guests knows that they are regulated and behave responsibly .

In my opinion, many Airbnb guests are responsible people who only visit Scotland to go out and see the city, many of them rarely stay in the flat unless those here for working remotely, they go out to see friends, family, castles etc.

Instead of this constant harassment, if approached in the right way and respect which is mutual, I am ready to work with landlords and tenants to ensure a safe and secure building for all of us.

Thank you.

Kind regards

Mercy Brown

Letter sent to Heather about about Intercom
Connectivity and safe
Vandalism

From: [REDACTED]
Sent: 26 December 2022 09:53
To: [REDACTED]
Subject: Re: Issues with AirBnB guests and emergency exit door at Fraser House

Hello [REDACTED]

In addition to the last email I sent in reply to the complaints from one of the home owners, please note the followings:

I suffer from Anxiety and Panic attack disorder, Blood disorder and other related symptoms and recently menopausal symptoms, under equality act 2010 which I am protected by, I have a mental health disability. I am on medication and lifestyle management to manage this, this is the main reason I don't want my mobile phone connected to the intercom, because I don't want to receive calls at odd hours to provide access, this increases my anxiety, other residents had also complained of visitors trying to get into the building ringing their flat to gain access etc..

Installing a key safe is the only way I and my guest and family can access the building and my flat when they want to, its safe and convenient, I live far away from city centre and don't live in the building, my situation is different from other residents, I made this clear before I bought this property that I would be installing a key safe, I did not see or sign any document that this is not allowed.

Living in a building with shared amenities requires some level of tolerance and endurance, I am been put under pressure here to connect intercom to my mobile phone which I don't want because of health reasons, this constant bullying and harassment by other residents is making me ill and as I said in my last email, if these continues I will take it forward via police and legal system.

On the 5th of October this year, I was locked out of the building and could not gain access to the building to access my flat, One of the residents said that I have to use the intercom ??? I still don't know what this happened how and why this happened, if this was done deliberately or not ??

My safe was vandalized and removed from the wall few weeks ago, this is unacceptable and a theft and against the law

I have installed the same key safe that was removed and not a new one, this was installed in the other side of the building in a spot where there were existing holes, it does not bother or obstruct anyone.

I also notice that the people operating Airbnb business in Fraser house are all black people, is this a racially motivated harassment?

I don't have issue with [REDACTED] or yourself, I understand that you are passing on a message. I will appreciate if you can get the message across to this resident to live and let live because they don't pay my bills or pay for my property, in a civilized world this will be discussed and a compromise achieved, not vandalizing or causing harm to co-owner.

Please give me a call next time you are at work, I am open for discussion

Merry xmas

Kind regards

[REDACTED]

□

Hi [REDACTED]

We hope you had a good Christmas and New Year.

We completely understand your position and your wish not to use the intercom system and are sorry that you have been harassed regarding this situation.

Please note that we have no authority to force you to register your number into the intercom, or remove the lockboxes. We simply wanted to pass along the concerns of other residents. They also have a right to feel safe within the buildings which unfortunately has not been the case earlier in the year (although thankfully the instances of anti-social behaviour seems to have settled down).

The factor is only in place to manage the maintenance of the development, not police the actions of owners/residents. This really should be a discussion between owners directly rather than through ourselves as we don't actually have the authority to enforce things like not installing lockboxes.

Again, we apologise that this has caused you undue stress and hope that this matter can be settled between residents.

Kind regards,

[REDACTED]
Development Manager
Aberdeen Office

Screen shots from my airbnb website showing the types of guests I receive in my flat my flat does not host sex workers,

Hi there! We're travelling from the US for my cousin's wedding at Jan 22. We'll get to Aberdeen sometime in the morning on the 23rd and we'd check in whenever the Airbnb is available. We'll be leaving pretty early on flight. It will be our first trip to Scotland and we're looking forward to exploring in Aberdeen!

Request received

5.0 rating from 5 reviews

Identity verified

Joined Airbnb in 2019

OR

Show profile

16:00

Hi Mercy, I will be driving up with a colleague, so I will ask him what time he wants to set off closer to the date. I am performing in His Majesty's Theatre

Booking confirmed

I'm traveling to Aberdeen, Scotland to appreciate the beautiful fall scenery, and visit some of the areas historical landmarks like Balmoral Castle. I'll check in in the afternoon.

Request received

Request accepted

About

5.0 rating from 1 review

Identity verified

Joined Airbnb

Show profile

ie

Translation is on. You can change this at any time. X

2023

To protect your payment, always communicate and pay through the Airbnb website or app.

09:10

Hello Mercy

We are coming from France to visit our son in Aberdeen ... we will come from Edimbourg probably by bus. As soon as we know our arrival, we will tell you, it should be in the afternoon. Thank you

Booking confirmed.

5.0 rating from 2 reviews

Identity verified

Joined Airbnb in [redacted]

Lives in [redacted]

[Show profile](#)

Send or request money

Call

a

Translation is on. You can change this at any time. X

[redacted]

hello,

me and my husband will visit Aberdeen in september. we're not sure yet when we'll arrive on september [redacted]

Kind regards,

[redacted]

Booking confirmed.

About [redacted]

5.0 rating from 2 reviews

Identity verified

Joined Airbnb in [redacted]

Lives in [redacted]

[Show profile](#)

Send or request money



Translation is on. You can change this at any time. X



2023

To protect your payment, always communicate and pay through the Airbnb website or app.

Hosts can't see your profile photo until after your booking is confirmed. [Learn more](#)



14:36

Hi Mercy, we are working on the [redacted] for a couple of months and would like to book your apartment.

Thanks,

[redacted]

Request received - [redacted]

Request accepted - [redacted]



Translation is on. You can change this at any time. X



[redacted]

To protect your payment, always communicate and pay through the Airbnb website or app.

Hosts can't see your profile photo until after your booking is confirmed. [Learn more](#)



Hi, Mercy!

The flat looks great! I'll be performing at His Majesty's Theatre Aberdeen.

Best,

[redacted]

Request received - [redacted]

Request accepted - [redacted]

To protect your payment, always communicate and pay through the Airbnb website or app.

[Redacted]
Hi,

We are arriving with my husband for holiday on the [Redacted] (Saturday). We estimate that our arrival will be afternoon/evening. We can inform you once we have a better idea of our arrival!

Thank you and we look forward to our visit.

Best,
[Redacted]

[Redacted]

[Redacted]

Transaction is on. You can change this at any time. X



Reservation details

Past guest

[Redacted]
2 guests

About [Redacted]

- ★ [5.0 rating from 13 reviews](#)
- ✓ [Identity verified](#)
- 📍 Joined Airbnb in [Redacted]
- 🏠 Lives in [Redacted]

To protect your payment, always communicate and pay through the Airbnb website or app.

Hosts can't see your profile until after your booking is confirmed. [Learn more](#)

[Redacted]
Hi Mercy,

My sister and I will be travelling around the UK this summer from [Redacted] and we are looking forward to staying in Aberdeen!

Request received. [Redacted]

Messages may be monitored to help keep our community safe, improve our product, and other related purposes. Content may be moderated or blocked. [Learn more](#)

Request accepted. [Redacted]

[Redacted]

Transaction is on. You can change this at any time. X



To protect your payment, always communicate and pay through the Airbnb website or app.

[Redacted]
Hi Mercy,

My boyfriend [Redacted] and I are very much looking forward to our stay in your place in Aberdeen! We have been to Aberdeen for the first time earlier this year and loved the city, so we are back :)

We will let you know once we know when we will arrive!

Have a great start to the week,
[Redacted]

Booking confirmed [Redacted]

Transaction is on. You can change this at any time. X

To protect your payment, always communicate and pay through the Airbnb website or app.

Hosts can't see your profile photo until after your booking is confirmed. [Learn more](#)



We are going on holiday. Planning on visiting some castles and going on walks. I have an old school friend who now lives in Aberdeen who will take us around the area on the weekend.



Request received



Request accepted



Review from guest complaining of other tenants noise

It was a really lovely location. Mercy provided pretty much everything, you would need to feel welcome. You just had to get food. Everything else was catered to. Good location, and a lovely apartment. Pots and pans are available, towels are provided and good internet service. The only shortfall was the noisy neighbours. I would recommend it and book it again myself.

Well done Mercy.

House rules displayed on my booking
website in Avons,

During your stay

 2 guests maximum

 No pets

 No parties or events

 No smoking

 **Additional rules**

Please be nice and civil to host, no rudeness, STRICTLY NO PARTIES ALLOWED OR LOUD MUSIC for.

Clean flat and empty bin before you leave, any damage incurred during your stay should be fixed or paid

NO LOUD MUSIC PLEASE ...

Show more

Fraser house rules on Airbnb waste -
Prohibits in the resort -

X

Additional rules

Please be nice and civil to host, no rudeness, STRICTLY NO PARTIES ALLOWED OR LOUD MUSIC
Clean flat and empty bin before you leave, any damage incurred during your stay should be fixed or paid for.

NO LOUD MUSIC PLEASE

Please look after the apartment and yourself during your stay

There is strictly NO PARTIES ALLOWED IN THIS APARTMENT, failure to comply will attract a minimum £400 fine and penalty paid

Please adhere strictly to our check out time, staying over will attract extra cost

Thank you

letter from STL regarding public notice display

Thu, Jun 15 at 11:32 AM ★

To: Mercy Brown

Hi Mercy,

You have received an automated message from the online Short Term Let (STL) application, which assumes that you displayed the public notice on the day of the application, and therefore sends an email reminder to login and complete the Certificate of Compliance. Since this is not the case for your STL applications, you have completed the online certification with the incorrect dates. All I ask is that you complete the attached Certificate of Compliance once the full 21 day (23 days in total) period has lapsed, with the appropriate dates and submit the certificate to myself.

I also received an objection to your STL application and in the objection was a photo of the notice for display for Flat 34, 9 Market. The notice has been de-faced as your name has been blanked over. I would suggest you laminate the next notice to help prevent this from happening.

I visited Flat 34, 9 Market Street yesterday and the notice has been removed, you will have to display another notice. Once this has been done please let me know so we can determine the date the notice can be removed.

You displayed the public notice for each of your properties on the dates below:

Ground Floor Right, 95 Willowbank Road: 26th May 2023 – Earliest notice can be removed 17th June 2023.

Flat 34, 9 Market Street: 2nd June 2023 – To be confirmed.

- done and email sent

- done and email sent

Regards,

[Redacted Signature]

Mercy Brown



Fri, Jun 16 at 3:43 PM



To:

Dear

Thank you for your email

I read instructions about waiting for an email from council before putting up the notice, i understand now about the automated message, that is another accusations from these 2 tennants from whom i have been harrassed few times, i was accused of not putting up the notice and removing them etc..

I also observed on the 10th of june when i visited the flat that the notice was removed, on the 4th june about 11pm when i passed by the flat to pick up washings, one of the tennants who wrote the objection letter was outside the building,i spoke to him briefly and 5th of June next morning i came to the flat in the . someone tried my key safe, i closed it again, obviously they can not open it as it was locked with a code ,the shortlet notice was there .

I received the objection letter, looks like i was accused of removing the notice, and also that i hide the notice which was not the case .

I will laminate the notice and re-posted by sunday when am back in Aberdeen

These 2 Tennants have also been against folks pasting things on wall outside building, everything is complained but i will action this as instructed

Kind regards

Mercy Brown

H PRASER HOUSE

NOTICE TO TENANTS

PLEASE READ THIS NOTICE CAREFULLY. IT CONTAINS IMPORTANT INFORMATION ABOUT YOUR RENTAL AGREEMENT AND THE SERVICES PROVIDED BY THE PROPERTY.

1. RENTAL AGREEMENT

The rental agreement is a contract between you and the property owner. It sets out the terms and conditions of your tenancy, including the amount of rent, the duration of the agreement, and the responsibilities of both parties.

2. SERVICES PROVIDED

The property owner provides certain services to tenants, including the maintenance of the building structure, common areas, and the provision of water and electricity. These services are provided in accordance with the rental agreement.

3. RESPONSIBILITIES

As a tenant, you are responsible for the maintenance and care of your rental unit. This includes keeping the unit clean, reporting any damage or repairs, and complying with all applicable laws and regulations.

4. CONTACT INFORMATION

If you have any questions or concerns, please contact the property manager at [phone number] or [email address].

5. SIGNATURE

I, [tenant name], hereby acknowledge that I have read and understand the terms and conditions of this notice.

Signature: _____

Date: _____

