



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland
(Housing and Property Chamber) under Section 16 of the Housing (Scotland)
Act 2014 (Act)**

Chamber Ref: FTS/HPC/CV/18/3123

Re: Property at 107 Park Street, Airdrie, ML6 0JP (“the Property”)

Parties:

**Mr Peter Ngo, c/o Jewel Homes, Atrium Business Centre, North Caldeen Road,
Coatbridge, ML5 4EF (“the Applicant”)**

Mr Moussa Sylla, 78E Church Street, Coatbridge, ML5 3DP (“the Respondent”)

Tribunal Members:

Alan Strain (Legal Member)

Decision (in absence of the Parties)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that the order for payment be granted in the sum of
£8,577.42.**

Background

This is an Application for payment of rent arrears and damages/repairs following an assured tenancy. The Application is made under section 16 of the Act and Rule 70.

The Tribunal had regard to the following documents:

1. Application received 19 November 2018;
2. Tenancy Agreement dated 27 April 2015;
3. Rent arrears statement as at 14 August 2018;
4. Invoice for repairs.

Case Management Discussion (CMD)

The case called for a CMD on 22 January 2019. The Applicant was represented by Ms McGuire of Jewel Homes. There was no appearance by the Respondent. Service

of the notification of the CMD had been made upon the Respondent by Sheriff Officers on 4 January 2019. The Respondent had accordingly been notified of the CMD, the case against him and the fact that the Tribunal could determine the matter at the CMD in his absence.

The Tribunal considered the evidence contained in the documentation and was satisfied that it had sufficient information to make a decision and it was fair to do so. The Tribunal found that the Respondent was in arrears to the sum of £3,102.42 at the end of the tenancy; incurred damage to the Property which cost £5,400 to rectify and the caused the Applicant to incur the cost of £75 in respect of tracing fees.

The Tribunal accordingly granted the order for payment by the Respondent to the Applicant in the sum of £8,577.02.

Right of Appeal

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.

A Strain

Legal Member/Chair

Date

22 January 2019.