



**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**

Chamber Ref: FTS/HPC/CV/19/3584

**Re: Property at Flat T/R, 11 Townhead Street, Hamilton, ML3 7BQ (“the
Property”)**

Parties:

**Mr Shakil Ahmed, c/o 23 Townhead Street, Hamilton, ML3 7BQ (“the
Applicant”)**

**Mr Mark Alexander Cocozza, 5 Honeybank Crescent, Carluke, ML8 4BT (“the
Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member)

Decision (in absence of the Respondent)

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the
Tribunal”) determined that an order for payment in the amount of £2770.83
should be made.**

Background

The Applicant’s solicitor lodged an application on 7th November 2019, seeking
payment from the Respondent of rent arrears.

Lodged with the application were:

1. Copy Short Assured Tenancy Agreement
2. Rent Statement
3. Copy letter sent to Respondent

Case Management Discussion

The Applicant was represented by Dominic Coyle of Austin Lafferty, Solicitors. The Respondent did not appear and was not represented.

Mr Coyle explained to the Tribunal that the Respondent had been the tenant of the property, but had left in September 2018 . At that time the rent arrears stood at £2770.83. Nothing has been paid towards the arrears since the Respondent left. No deposit was paid in respect of the property. Mr Coyle moved that the order should be granted.

Findings In Fact

1. The parties entered in to a tenancy agreement in relation to the property;
2. The monthly rental was £425;
3. No deposit was paid by the Respondent;
4. The Respondent vacated the property in September 2018;
5. At the date the Respondent vacated the arrears stood at £2770.83 and no payments have been made towards the balance.

Reasons For Decision

The Respondent vacated the property and owes that Applicant £2770.83 by way of rent.

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.


Legal Member/Chair

Date

13 | 1 | 2020