



**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/18/1198

Re: Property at 8 Castlehill Farm, Stevenston, KA20 4LF (“the Property”)

Parties:

Mr Robert Black, Mrs Jeanne Black, 8 Fifth Avenue, Glasgow, G12 0AT (“the Applicant”)

**Mr Sean Diamond also known as Reece Coleman, Forever Diamonds Salon,
172 Main Street, Prestwick, KA9 1PG (“the Respondent”)**

Tribunal Members:

Alison Kelly (Legal Member)

Background

The Applicants lodged an application on 15th May 2018 for payment of arrears and damages. No response was received from the Respondent.

The Case Management Discussion

The hearing was attended by the Applicants, Mr and Mrs Black. The Respondent did not appear and was not represented.

The Applicants submitted their rent statement, showing rent arrears due of £2067.86. They also submitted a statement showing the repairs and redecoration costs of £2449.37. They had deducted the sum of £625, being the Respondent’s deposit, which had been returned to them by the tenancy deposit scheme, and £470 for a fence which the Respondent had erected at the property.

Findings in Fact

The Tribunal found that the Respondent was in arrears in the sum of £2067.86, and had also incurred costs in at least the amount of £1354.37.

The Tribunal also found that the Respondent's correct designation was Sean Diamond also known As Reece Coleman, as per his bank statement, and allowed the designation to be amended accordingly.

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) ("the Tribunal") determined that the Applicants are entitled to an order for payment in the amount of £3422.23.

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.

Alison Kelly

Legal Member/Chair



Date

6/8/18

*Insert or Delete as required