James Allen

Vs

Mulberry Suites

CCT 123/24/CC

Today 5th November, 2024

The Tribunal;

Having seen the claim filed by claimant on the 5th June 2024, whereby claimant requested the refund of €150 (one hundred and fifty euros) being part of a higher amount paid to respondent for accommodation between the 16th February 2024 and 18th February 2024.

Having seen that respondent company duly notified on the 14th June 2024 with the Notice of Claim, and Notice of Appointment of Sitting failed to submit a reply, and hence respondent is in a state of contumacia.

Having seen the acts of the case.

Having heard claimant give evidence on oath during the sitting dated 29th October 2024, and having seen that no one on behalf of respondent appeared for the scheduled sitting, and also failed to justify the state of contumacia.

Considers;

It results that in February 2024 claimant booked a two night stay at Mulberry Suites for the total price of €184.96c (one hundred and eighty four euros, and ninety six cents). Claimant explains that on the second night, no water was available in his room. Despite the fact that claimant brought this to the attention of staff, no solution was forthcoming.

From the documentary evidence submitted by claimant it transpires that the booking related to a two night stay between the 16th February 2024 until the 18th February 2024, out of which on the last night, claimant did not have any water

supply. This caused considerable distress and inconvenience whereby he was unable to use the sanitary facilities.

The Tribunal, having seen the acts of the case and the documentation filed by claimant, is of the opinion that the version presented by claimant is correct and truthful, and hence merits confirmation to the amount claimed of €150 (one hundred and fifty euros).

Consequently and upon review and careful examination of the facts of this case, and also upon review of the documentation and acts of this proceedings, in line with Chapter 378 of the Laws of Malta, the Tribunal accedes to the request filed by claimant and condemns respondent to pay claimant the sum of €150 (one hundred and fifty euros).

The expenses of these proceedings are to be exclusively borne by respondent.

C. Cherrett

Dr Charmaine Cherrett

Arbiter