



Decision 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/25/3281

Re: Property at 6/1 Bourtree Terrace, Hawick, TD9 9HN (“the Property”)

Parties:

Mima Investments Ltd, 393 Lordship Lane, London, N17 6AE (“the Applicant”)

Mr Jaidon Higgins, whose present whereabouts are unknown (“the Respondent”)

Tribunal Member:

George Clark (Legal Member)

Decision (in absence of the Respondent)

The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that the application should be decided without a Hearing and made an Order for Payment by the Respondent to the Applicants of the sum of £5,327.52.

Background

1. By application, dated 31 July 2025, the Applicants sought an Order for Payment in respect of unpaid rent that had become lawfully due by the Respondent to the Applicants. The sum sought was £5,327.52.
2. The application was accompanied by copies of a Private Residential Tenancy Agreement between the Parties commencing on 16 July 2021 at a rent of £400 per month (subsequently increased to £440 per month) and a Rent Statement showing arrears as at 22 July 2025 of £5,327.52.
3. A Case Management Discussion was held on 11 December 2025. The Applicants’ representative advised the Tribunal that the Respondent vacated the Property on 24 July 2025. The Tribunal noted that the case papers had been served by sheriff officers by means of putting them through the letterbox of the Property on 27 October 2025, more than three months after the Respondent vacated it. The Applicants’ representative told the Tribunal that they did not have a forwarding address for the Respondent. Accordingly, the

Tribunal adjourned the case to enable the case papers to be served on the Respondent by advertisement on the Tribunal's website.

4. Service on the Respondent was effected by advertisement on the Tribunal's website from 22 January 2026 until 12 February 2026.

Case Management Discussion

5. A second Case Management Discussion was held by means of a telephone conference call on the morning of 12 February 2026. The Applicants were represented by Ms Kathrin Schneider of Lowrie Property Limited, Hawick. The Respondent was not present or represented.
6. The Applicants' representative advised the Tribunal that no payments had been made by the Respondent since the date of the application.

Reasons for Decision

7. Rule 17 of the First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017 provides that the Tribunal may do anything at a Case Management Discussion which it may do at a Hearing, including making a Decision. The Tribunal was satisfied that it had before it all the information and documentation it required to enable it to decide the application without a Hearing.
8. The Tribunal was satisfied that the sum sought in the application had become lawfully due by the Respondent to the Applicants.

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.

George Clark

Legal Member/Chair

12 February 2026
Date

