



Housing (Scotland) Act 2001

2001 asp 10

PART 2

TENANTS OF SOCIAL LANDLORDS

CHAPTER 1

SCOTTISH SECURE TENANCIES

Short Scottish secure tenancies

37 Conversion to Scottish secure tenancy

- (1) Where—
- (a) a tenancy is a short Scottish secure tenancy by virtue of section 35 or paragraph 1 or 2 of schedule 6, and
 - (b) the landlord has not, in the period of 12 months following the creation of the tenancy, served on the tenant a notice under section 14(2) or 36(2),
- the tenancy becomes, by virtue of this section, a Scottish secure tenancy with effect from the expiry of that period.
- (2) Where subsection (1)(a) applies and the landlord has, in the period of 12 months following the creation of the tenancy, served a notice referred to in subsection (1)(b), then—
- (a) if the notice—
 - (i) has ceased to be in force in accordance with section 14(5) or, as the case may be, 36(4), or
 - (ii) has been withdrawn by the landlord without proceedings for recovery of possession having been raised,the tenancy becomes, by virtue of this section, a Scottish secure tenancy with effect from the date on which the notice ceased to be in force or was withdrawn or the expiry of that period of 12 months, whichever is the later,
 - (b) if proceedings for recovery of possession have been raised and have been finally determined in favour of the tenant, the tenancy becomes, by virtue of

Status: This is the original version (as it was originally enacted).

this section, a Scottish secure tenancy with effect from the date on which the proceedings were finally determined or the expiry of that period of 12 months, whichever is the later.

- (3) For the purposes of subsection (2)(b) proceedings are finally determined when—
- (a) the period for appealing against the interlocutor disposing of the proceedings has expired without an appeal being lodged, or
 - (b) where an appeal has been lodged, the appeal is withdrawn or finally determined.
- (4) Where a tenancy becomes a Scottish secure tenancy by virtue of this section, the landlord must notify the tenant of that fact and of the date on which the tenancy became a Scottish secure tenancy.