



Housing (Scotland) Act 2010

2010 asp 17

PART 10

SPECIAL PROCEDURE FOR DISPOSALS AND RESTRUCTURING RESULTING IN CHANGE OF LANDLORD

CHAPTER 1

DISPOSALS BY A REGISTERED SOCIAL LANDLORD

120 Unaffected tenants

- (1) In this section, “unaffected tenant” means a tenant of a house included in a proposed disposal of land who the registered social landlord expects to have vacated the house before the disposal is made.
- (2) The registered social landlord—
 - (a) need not give notice (or further notice) under section 115 to an unaffected tenant, and
 - (b) may exclude an unaffected tenant from any ballot conducted under ^[F1]section 115A(1)(a)], and
 - ^[F2](c) need not seek the agreement of an unaffected tenant when seeking written agreement under section 115A(1)(b).]
- (3) But, where a registered social landlord does not give such a notice or so excludes a tenant from the ballot or does not seek the tenant's written consent, the ^[F3]registered social landlord must confirm that the tenants concerned have all vacated the houses concerned when notifying the Regulator under section 115A(2)].

Textual Amendments

- F1** Words in s. 120(2)(b) substituted (8.3.2019) by [Housing \(Amendment\) \(Scotland\) Act 2018 \(asp 13\)](#), [ss. 4\(7\)\(a\)\(i\)](#), 11(2); [S.S.I. 2018/253](#), reg. 2(2)
- F2** S. 120(2)(c) substituted (8.3.2019) by [Housing \(Amendment\) \(Scotland\) Act 2018 \(asp 13\)](#), [ss. 4\(7\)\(a\)\(ii\)](#), 11(2); [S.S.I. 2018/253](#), reg. 2(2)

Changes to legislation: There are currently no known outstanding effects for the
Housing (Scotland) Act 2010, Section 120. (See end of Document for details)

F3 Words in s. 120(3) substituted (8.3.2019) by [Housing \(Amendment\) \(Scotland\) Act 2018 \(asp 13\)](#), **ss. 4(7)(b), 11(2)**; [S.S.I. 2018/253](#), reg. 2(2)

Commencement Information

I1 S. 120 in force at 1.4.2012 by [S.S.I. 2012/39](#), art. 2, **Sch. 1** (with [Sch. 2](#))

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Section 120.