



Housing (Scotland) Act 2010

2010 asp 17

PART 14

RIGHT TO BUY: REFORMS

143 Limitation on right to buy: new supply social housing

After section 61E of the Housing (Scotland) Act 1987 (c.26) insert—

“61F Limitation on right to purchase: new supply social housing

- (1) Section 61 does not apply to a new supply social house.
- (2) Subsection (1) does not affect the right of a tenant to purchase a new supply social house under this Part if—
 - (a) the tenant moved to the new supply social house in pursuance of—
 - (i) an order for recovery of possession made under section 16(2) of the Housing (Scotland) Act 2001 (asp 10), on any of the grounds set out in paragraphs 9 to 15 of schedule 2 to that Act, in respect of a house subject to a Scottish secure tenancy created before the relevant day; or
 - (ii) the operation of section 19(3)(b), 21(3)(b) or 22(6) of that Act following termination of a Scottish secure tenancy created before the relevant day;
 - (b) the tenant moved to the new supply social house from a house subject to a Scottish secure tenancy created before the relevant day in pursuance of a decision by the landlord to demolish that other house as a result of which—
 - (i) the tenancy of that other house was terminated by written agreement between the landlord and the tenant; and
 - (ii) the new supply social house was made available to the tenant;
 - (c) the tenant occupied the new supply social house immediately before the relevant day under a short Scottish secure tenancy which has, since that day, been converted into a Scottish secure tenancy under section 37 of the Housing (Scotland) Act 2001 (asp 10); or

Status: Point in time view as at 01/03/2011. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Section 143. (See end of Document for details)

- (d) the landlord failed to give the tenant notice (in the prescribed form) of the effect of subsection (1)—
- (i) where the landlord acquired the new supply social house from the tenant, at least 7 days before the missives for that acquisition were concluded; or
 - (ii) in any other case, at least 7 days before the creation of the Scottish secure tenancy to which the new supply social house is subject.

(3) In this section—

“new supply social house” means a house let under a Scottish secure tenancy created on or after the relevant day which—

(a) was not let under a Scottish secure tenancy on or before 25 June 2008; or

(b) was acquired by the landlord on or after 25 June 2008; and

“relevant day” means the day on which section 143 of the Housing (Scotland) Act 2010 (asp 17) comes into force.”

Commencement Information

I1 S. 143 in force at 3.1.2011 for specified purposes by [S.S.I. 2010/444, art. 2](#)

I2 S. 143 in force at 1.3.2011 in so far as not already in force by [S.S.I. 2011/96, art. 2, Sch.](#)

Status:

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Changes to legislation:

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