

---

**Changes to legislation:** Housing (Scotland) Act 2014, Paragraph 45 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

## SCHEDULE 1 TRANSFER OF JURISDICTION TO FIRST-TIER TRIBUNAL

### PART 1

#### REGULATED TENANCIES, PART VII CONTRACTS AND ASSURED TENANCIES

##### *Housing (Scotland) Act 1988 (c.43)*

- 45 In section 36—
- (a) after subsection (4) insert—
    - “(4A) Any action to enforce liability arising from this section must be raised in the First-tier Tribunal unless the residential occupant's claim is founded on the premises in question being subject to a Scottish secure tenancy or to a short Scottish secure tenancy (within the meaning of the Housing (Scotland) Act 2001 (asp 10)).”
  - (b) in subsection (6)(b), after “sheriff” insert “ or First-tier Tribunal ”,
  - (c) in subsection (6B), after “court”, in both places it occurs, insert “ or, as the case may be, the First-tier Tribunal ”.

---

#### **Commencement Information**

**II** Sch. 1 para. 45 in force at 1.12.2017 by S.S.I. 2017/330, art. 3, sch.

**Changes to legislation:**

Housing (Scotland) Act 2014, Paragraph 45 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2016/412, art. 3(1) (a) by [S.S.I. 2017/330 art. 2](#)
- specified provision(s) amendment to earlier commencing SSI 2015/272 Sch. by [S.S.I. 2015/349 art. 2\(2\)](#)