
Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Paragraph 15. (See end of Document for details)

SCHEDULE 3 EVICTION GROUNDS

PART 3

TENANT'S CONDUCT

Association with person who has relevant conviction or engaged in relevant anti-social behaviour

- 15 (1) It is an eviction ground that the tenant associates in the let property with a person who has a relevant conviction or has engaged in relevant anti-social behaviour.
- (2) The First-tier Tribunal may find that the ground named by sub-paragraph (1) applies if—
- (a) a person who falls within sub-paragraph (4)—
 - (i) has received a relevant conviction as defined by paragraph 13(3), or
 - (ii) has engaged in relevant anti-social behaviour,
 - (b) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of that fact, and
 - (c) either—
 - (i) the application for an eviction order that is before the Tribunal was made within 12 months of the conviction or (as the case may be) the occurrence of the anti-social behaviour, or
 - (ii) the Tribunal is satisfied that the landlord has a reasonable excuse for not making the application within that period.
- (3) In sub-paragraph (2)(a)(ii), “relevant anti-social behaviour” means behaviour which, if engaged in by the tenant, would entitle the Tribunal to issue an eviction order on the basis that the tenant has engaged in relevant anti-social behaviour.
- (4) A person falls within this sub-paragraph if the person—
- (a) resides or lodges in the let property,
 - (b) has sub-let the let property (or part of it) from the tenant, or
 - (c) has been admitted to the let property by the tenant on more than one occasion.
- (5) In a case where two or more persons jointly are the tenant under a tenancy, the references in sub-paragraphs (3) and (4) to the tenant are to any one of those persons.

Commencement Information

11 Sch. 3 para. 15 in force at 1.12.2017 by S.S.I. 2017/346, reg. 2, sch.

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