

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, PART 2. (See end of Document for details)

SCHEDULE 3 EVICTION GROUNDS

PART 2

TENANT'S STATUS

Not an employee

- 8 (1) It is an eviction ground that the tenancy was entered into to provide an employee with a home and the tenant is not a qualifying employee.
- (2) The First-tier Tribunal [^{F1}may] find that the ground named by sub-paragraph (1) applies if—
- (a) the tenancy was granted to the tenant—
 - (i) in consequence of the tenant being an employee of the landlord, or
 - (ii) in the expectation that the tenant would become an employee of the landlord,
 - (b) the tenant is not employed by the landlord, and
 - [^{F2}(c) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.]
- ^{F3}(3)
- (4) In [^{F4}sub-paragraph (2)], “landlord” includes any person who has been a landlord under the tenancy.

Textual Amendments

- F1** Word in sch. 3 para. 8(2) substituted (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 43(3)(g)(i), 59(1) (with s. 48(1))
- F2** Sch. 3 para. 8(2)(c) substituted (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 43(3)(g)(ii), 59(1) (with s. 48(1))
- F3** Sch. 3 para. 8(3) repealed (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 43(3)(g)(iii), 59(1) (with s. 48(1))
- F4** Words in sch. 3 para. 8(4) substituted (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 43(3)(g)(iv), 59(1) (with s. 48(1))

Commencement Information

- I1** Sch. 3 para. 8 in force at 1.12.2017 by S.S.I. 2017/346, reg. 2, sch.

No longer in need of supported accommodation

- 9 (1) It is an eviction ground that the tenancy was entered into on account of the tenant having an assessed need for community care and the tenant has since been assessed as no longer having that need.
- (2) The First-tier Tribunal may find that the ground named by sub-paragraph (1) applies if—

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, PART 2. (See end of Document for details)

- (a) the tenancy was granted in consequence of the tenant being assessed under section 12A of the Social Work (Scotland) Act 1968 to have needs calling for the provision of community care services,
 - (b) the tenancy would not have been granted to the tenant on the basis of the latest assessment of the tenant's needs under that section, and
 - (c) the Tribunal considers it reasonable to issue an eviction order on account of that fact.
- (3) The condition in sub-paragraph (2)(a) is to be deemed to be met if the tenancy was granted as a result of a local authority taking urgent action by virtue of section 12A(5) of the Social Work (Scotland) Act 1968.

Commencement Information

I2 Sch. 3 para. 9 in force at 1.12.2017 by S.S.I. 2017/346, reg. 2, sch.

Changes to legislation:

There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, PART 2.