



# Coronavirus (Recovery and Reform) (Scotland) Act 2022

## 2022 asp 8

### PART 4

#### TENANCIES

##### *Removal of mandatory eviction grounds*

#### **43 Private residential tenancies: discretionary eviction grounds**

- (1) The Private Housing (Tenancies) (Scotland) Act 2016 is modified as follows.
- (2) In section 51(2) (First-tier Tribunal's power to issue an eviction order), the words "or must" are repealed.
- (3) In schedule 3 (eviction grounds)—
  - (a) in paragraph 1(2) (landlord intends to sell)—
    - (i) in the opening words, for "must" substitute "may",
    - (ii) after paragraph (a), the word "and" is repealed,
    - (iii) after paragraph (b) insert " , and  
" (c) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.",
  - (b) in paragraph 2(2) (property to be sold by lender)—
    - (i) in the opening words, for "must" substitute "may",
    - (ii) after paragraph (b), the word "and" is repealed,
    - (iii) after paragraph (c) insert " , and  
" (d) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.",
  - (c) in paragraph 3(2) (landlord intends to refurbish)—
    - (i) in the opening words, for "must" substitute "may",
    - (ii) after paragraph (b), the word "and" is repealed,
    - (iii) after paragraph (c) insert " , and

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*Status: This is the original version (as it was originally enacted).*

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- “(d) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.”,
- (d) in paragraph 4(2) (landlord intends to live in property)—
- (i) for “must” substitute “may”,
  - (ii) the words from “the landlord” to “3 months” become paragraph (a),
  - (iii) after paragraph (a) insert “, and
- “(b) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of that fact.”,
- (e) in paragraph 6(2) (landlord intends to use for non-residential purpose)—
- (i) for “must” substitute “may”,
  - (ii) the words from “the landlord” to “home” become paragraph (a),
  - (iii) after paragraph (a) insert “, and
- “(b) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of that fact.”,
- (f) in paragraph 7(2) (property required for religious purpose)—
- (i) in the opening words, for “must” substitute “may”,
  - (ii) after paragraph (b), the word “and” is repealed,
  - (iii) after paragraph (c) insert “, and
- “(d) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.”,
- (g) in paragraph 8 (not an employee)—
- (i) in the opening words of sub-paragraph (2), for “must” substitute “may”,
  - (ii) for sub-paragraph (2)(c) substitute—
- “(c) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.”,
- (iii) sub-paragraph (3) is repealed,
  - (iv) in sub-paragraph (4), for “sub-paragraphs (2) and (3)” substitute “sub-paragraph (2)”,
- (h) in paragraph 10(2) (not occupying let property)—
- (i) in the opening words, for “must” substitute “may”,
  - (ii) after paragraph (a), the word “and” is repealed,
  - (iii) after paragraph (b) insert “, and
- “(c) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.”,
- (i) in paragraph 12 (rent arrears), sub-paragraph (2) is repealed,
- (j) in paragraph 13(2) (criminal behaviour)—
- (i) in the opening words, for “must” substitute “may”,
  - (ii) after paragraph (a), the word “and” is repealed,
  - (iii) after paragraph (b) insert “, and
- “(c) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of those facts.”,
- (k) in paragraph 14(2) (anti-social behaviour), after paragraph (b), for “and” substitute—
- “(ba) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of that fact, and”.