
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 127

The Scottish Secure Tenancies (Proceedings for Possession) (Pre-Action Requirements) Order 2012

Compliance with agreed repayment plan

7. In complying with the requirement contained in section 14A(6)(c) (compliance with agreed plan) of the 2001 Act the landlord must—

- (a) promptly take reasonable steps to establish the reason for any default or shortfall in respect of an agreed payment;
- (b) consider whether the plan agreed for the purposes of section 14A(5) of that Act (“the agreed plan”) continues to be affordable to the tenant taking into account any information of the tenant’s personal and financial circumstances known to the landlord;
- (c) review the agreed plan where the landlord considers it is no longer affordable for the tenant; and
- (d) allow the tenant reasonable time to—
 - (i) make repayments within the terms of the agreed plan, including repayment of any shortfall or missed payment; or
 - (ii) enter into a new plan agreed for the purposes of section 14A(5) of that Act.