

SCHEDULE 3

Paragraph 11(3)

Form 28BA

Rule 23.6(3)

Form of extract decree – recovery of possession of heritable property in accordance with section 16(5A) of the Housing (Scotland) Act 2001 (non-payment of rent)

Sheriff Court Court ref no.

Date of decree * in absence

Pursuer(s) Defender(s)

The sheriff—

(1) granted warrant for ejecting the defender (and others mentioned in the summons) from the premises at *(insert address of premises)* on *(insert date)* and specified a period of *(number) (days/weeks/months)** from that date as the period for which the pursuer's right to eject shall have effect.

(2) granted decree against the defender for payment to the pursuer of the undernoted sums:

(a) Sum(s) decerned for: £*(insert sum)*.

(b) Interest at *(insert rate of interest)* per cent per year from *(insert date)* until payment.

(c) Expenses of £*(insert amount)* against the *(insert name of party)*.

*A time to pay direction was made under section 1(1) of the Debtors (Scotland) Act 1987.

The amount is payable by instalments of £(insert sum)* per *(insert period)* commencing within *(insert timescale)* *days/weeks/months of intimation of this extract decree.

The amount is payable by lump sum within *(insert timescale)* *days/weeks/months of intimation of this extract decree.

This extract is warrant for all lawful execution thereon.

Date *(Sheriff clerk depute)*

**delete as appropriate*