



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART III

#### RIGHTS OF PUBLIC SECTOR TENANTS

##### *Duties of landlords*

#### **74 Duties of landlords**

It shall be the duty of every landlord of a house to which sections 61 to 84 and section 216 apply to make provision for the progression of applications under those sections in such manner as may be necessary to enable any tenant who wishes to exercise his rights under this Part to do so, and to comply with any regulations which may be made by statutory instrument by the Secretary of State in that regard.

#### **75 Agreements affecting right to purchase**

(1) Subject to sections 61(1), 67(1) and 72(1)—

- (a) no person exercising or seeking to exercise a right to purchase under section 61(1) shall be obliged, notwithstanding any agreement to the contrary, to make any payment to or lodge any deposit with the landlord which he would not have been obliged to make, or as the case may be lodge, had he not exercised (or sought to exercise) the right to purchase;
- (b) a landlord mentioned in section 61(2)(a)(i) or (ii) is required neither to enter into, nor to induce (or seek to induce) any person to enter into, such agreement as is mentioned in paragraph (a), or into any agreement which purports to restrict that person's rights under this Part.

(2) Paragraph (a) of subsection (1) does not apply to the expenses in any court proceedings.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## **76 Duty of landlords to provide information to secure tenants**

- (1) Whenever a new secure tenancy is to be created, if—
  - (a) the landlord is not the heritable proprietor of the house; or
  - (b) by virtue of section 61(4), the house is not one to which that section applies; or
  - (c) section 62(7) or (8) may (assuming no change in the date for the time being specified in the former subsection and disregarding any order made, or which might be made, by the Secretary of State under section 62(11)(b)) affect any price fixed, as regards the house, under section 62(1),the landlord shall so inform the prospective tenant by written notice.
- (2) Where in the course of a secure tenancy the landlord ceases to be the heritable proprietor of the house or the house, by virtue of section 61(4), ceases to be one to which that section applies, the landlord shall forthwith so inform the tenant by written notice.
- (3) Subsections (1) and (2) do not apply if—
  - (a) the landlord is a housing co-operative within the meaning of section 22, and
  - (b) the heritable proprietor is a local authority.