



Housing (Scotland) Act 1988

1988 CHAPTER 43

PART II

RENTED ACCOMMODATION

Short assured tenancies

32 Short assured tenancies.

- (1) A short assured tenancy is an assured tenancy—
 - (a) which is for a term of not less than six months; and
 - (b) in respect of which a notice is served as mentioned in subsection (2) below.
- (2) The notice referred to in subsection (1)(b) above is one which—
 - (a) is in such form as may be prescribed;
 - (b) is served before the creation of the assured tenancy;
 - (c) is served by the person who is to be the landlord under the assured tenancy (or, where there are to be joint landlords under the tenancy, is served by a person who is to be one of them) on the person who is to be the tenant under that tenancy; and
 - (d) states that the assured tenancy to which it relates is to be a short assured tenancy.
- (3) Subject to subsection (4) below, if, at the finish of a short assured tenancy—
 - (a) it continues by tacit relocation; ^{F1}...
 - ^{F1}(b)the continued tenancy ^{F2}... shall be a short assured tenancy, whether or not it fulfils the conditions in paragraphs (a) and (b) of subsection (1) above.
- (4) Subsection (3) above does not apply if, before the beginning of the continuation of the tenancy ^{F3}..., the landlord or, where there are joint landlords, any of them serves written notice in such form as may be prescribed on the tenant that the continued ^{F4}... tenancy is not to be a short assured tenancy.

Changes to legislation: Housing (Scotland) Act 1988, Section 32 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) Section 25 above shall apply in relation to a short assured tenancy as if in subsection (1) of that section the reference to an assured tenancy were a reference to a short assured tenancy.

Textual Amendments

- F1** S. 32(3)(b) and word repealed (1.12.2017) by [Private Housing \(Tenancies\) \(Scotland\) Act 2016 \(asp 19\)](#), s. 79(2), [sch. 5 para. 2\(2\)\(a\)\(i\)](#); S.S.I. 2017/346, reg. 2, sch. (with reg. 6)
- F2** Words in s. 32(3) repealed (1.12.2017) by [Private Housing \(Tenancies\) \(Scotland\) Act 2016 \(asp 19\)](#), s. 79(2), [sch. 5 para. 2\(2\)\(a\)\(ii\)](#); S.S.I. 2017/346, reg. 2, sch. (with reg. 6)
- F3** Words in s. 32(4) repealed (1.12.2017) by [Private Housing \(Tenancies\) \(Scotland\) Act 2016 \(asp 19\)](#), s. 79(2), [sch. 5 para. 2\(2\)\(b\)\(i\)](#); S.S.I. 2017/346, reg. 2, sch. (with reg. 6)
- F4** Words in s. 32(4) repealed (1.12.2017) by [Private Housing \(Tenancies\) \(Scotland\) Act 2016 \(asp 19\)](#), s. 79(2), [sch. 5 para. 2\(2\)\(b\)\(ii\)](#); S.S.I. 2017/346, reg. 2, sch. (with reg. 6)

Changes to legislation:

Housing (Scotland) Act 1988, Section 32 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1)(aa) and word inserted by [2001 asp 10 s. 50\(2\)\(c\)](#)
- s. 66(2A) inserted by [2001 asp 10 s. 50\(3\)](#)
- s. 66(5A) inserted by [2001 asp 10 s. 50\(4\)](#)
- sch. 17 para. 19-26 repealed by [2014 asp 14 sch. 2 para. 5\(4\)](#)