
STATUTORY INSTRUMENTS

1988 No. 2109 (S.207)

LANDLORD AND TENANT, SCOTLAND

The Assured Tenancies (Forms) (Scotland) Regulations 1988

Made - - - - *1st December 1988*
Laid before Parliament *12th December 1988*
Coming into force - - *2nd January 1989*

The Secretary of State, in exercise of the powers conferred on him by sections 17(2) and (3), 19(3), 24(1) and (3), 32(2) and (4), 34(1), 48(2), 53(3) and 55(1) of the Housing (Scotland) Act 1988(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Assured Tenancies (Forms) (Scotland) Regulations 1988 and shall come into force on 2nd January 1989.
2. In these Regulations, “the Act” means the Housing (Scotland) Act 1988.
3. The forms set out in the Schedule to these Regulations shall be the forms to be used for the purposes of the Act in the cases to which those forms are applicable.

St Andrew’s House,
Edinburgh
1st December 1988

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

(1) 1988 c. 43; section 19(3) was amended by the Housing Act 1988 (c. 50), Schedule 17 paragraph 85(b); section 55(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.

Status: This is the original version (as it was originally made).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

SCHEDULE

Regulation 3

List of Forms

<i>Form No</i>	<i>Purpose</i>	<i>Statutory references to the Act</i>
AT1(L)	Notice by landlord proposing terms of a statutory assured tenancy different from the terms of the former tenancy	Section 17(2)
AT1(T)	Notice by tenant proposing terms of a statutory assured tenancy different from the terms of the former tenancy	Section 17(2)
AT2	Notice of an increase of rent under an assured tenancy	Section 24(1)
AT3(L)	Application by a landlord to a rent assessment committee for a determination of the terms of a statutory assured tenancy	Section 17(3)
AT3(T)	Application by a tenant to a rent assessment committee for a determination of the terms of a statutory assured tenancy	Section 17(3)
AT4	Application by a tenant to a rent assessment committee for determination of rent for a statutory assured tenancy or short assured tenancy	Sections 24(3) and 34(1)
AT5	Notice by landlord that tenancy is a short assured tenancy	Section 32(2)
AT6	Notice by landlord of intention to raise proceedings for possession of a house let on an assured tenancy	Section 19(3) as amended by paragraph 85 of Schedule 17 to the Housing Act 1988
AT7	Notice by landlord that the continued or new tenancy is not to be a short assured tenancy	Section 32(4)
AT8	Notice by rent assessment committee served on the landlord or the tenant requiring such information as the committee may reasonably require for the purposes of their functions	Section 48(2)

FORM AT1(L): FOR USE ONLY BY A LANDLORD

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

ASSURED TENANCIES

AT1(L)

HOUSING (SCOTLAND) ACT 1988

**NOTICE UNDER SECTION 17(2) PROPOSING TERMS
OF A STATUTORY ASSURED TENANCY DIFFERENT
FROM THE TERMS OF THE FORMER TENANCY**

IMPORTANT: INFORMATION FOR TENANT(S)

This notice proposes a change in the terms of your tenancy (and possibly an adjustment to the rent to reflect the change) for the house at the address in part 2. The new terms (and rent, if appropriate) will take effect from the date specified unless you and your landlord negotiate different terms or you refer this notice to a Rent Assessment Committee within three months of the date of service of this notice using a special form AT3(T). The Rent Assessment Committee will determine whether the proposed terms are reasonable and can specify adjustments to the terms and to the rent. You should give your response to the proposed changes by returning part 7 of this notice to your landlord.

Please read this notice carefully before responding.

Part 1. This notice is served on (tenant's name) as tenant by (landlord's name) as landlord under section 17(2) of the Housing (Scotland) Act 1988.

NOTE 1 TO TENANT.
YOUR LANDLORD MAY PROPOSE A CHANGE OF TENANCY TERMS BY THIS MEANS ONLY IF THE TENANCY IS A STATUTORY ASSURED TENANCY. IF YOU ARE IN DOUBT ABOUT WHAT KIND OF TENANCY YOU HAVE YOU SHOULD CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.

Part 2. Address of house to which this notice relates:-
.....
.....
.....
.....

(Please be as specific as possible. For example, if the tenancy is of a flat give the location in stair, eg 1F1)

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

Part 3 Name, address and telephone number of landlord, and of agent (if any):

.....	landlord(s)	agent
.....		
.....		
.....		

NOTE 2 TO TENANT.
THIS NOTICE PROPOSES CHANGES TO THE TERMS OF THE TENANCY FOR THE HOUSE TO WHICH THE NOTICE RELATES. YOUR LANDLORD MUST GIVE YOU AT LEAST THREE MONTHS NOTICE OF THE CHANGES. THEY WILL TAKE EFFECT FROM THE DATE SPECIFIED IF YOU DO NOT ACT WITHIN THREE MONTHS OF THE DATE OF SERVICE OF THE NOTICE. READ THE NOTICE CAREFULLY. IF YOU ARE IN DOUBT ABOUT WHAT ACTION YOU SHOULD TAKE, GET ADVICE IMMEDIATELY FROM A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.

Part 4 I your landlord(s)/ your landlord's agent* give you notice of proposed changes in the terms of your tenancy for the house at the address in part 2. The proposed changes are shown in paragraph (c) of part 6 of this notice and are to come into effect on (date).

Signed

Landlord/Landlord's agent

Date

NOTE 3 TO TENANT.
YOUR LANDLORD MAY ALSO PROPOSE THAT YOUR RENT IS TO BE ADJUSTED TO TAKE ACCOUNT OF THE PROPOSED NEW TENANCY TERMS. IF SO THE LANDLORD MUST ALSO COMPLETE PART 5 OF THE NOTICE.

* delete as appropriate

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

Part 5 I your landlord(s)/I your landlord's agent* give you notice of an adjustment of rent shown in paragraph (d) of part 6 of this notice to take account of the tenancy terms. I am proposing that the adjustment is to come into effect on(date).

Signed

Landlord/Landlord's Agent

Date

* delete as appropriate

NOTE 4 TO TENANT.
IF YOU DO NOT WISH TO ACCEPT THE TERMS PROPOSED OR WISH TO REFER THE PROPOSALS TO A RENT ASSESSMENT COMMITTEE THEN A MEETING WITH YOUR LANDLORD TO DISCUSS THE PROPOSALS MIGHT BE HELPFUL. YOU SHOULD, HOWEVER, KEEP IN MIND THE THREE MONTH TIME-LIMIT FOR REFERRING THE PROPOSALS TO A RENT ASSESSMENT COMMITTEE.

Part 6

- a. Date(s) on which the assured tenancy agreement or contract of tenancy began.
- b. Date when the notice to quit terminating the assured tenancy expired or, if your tenant succeeded to a tenancy, the date on which he succeeded.
- c. The proposed changes to the terms of the tenancy are:
(Note to the Landlord
The exact nature of the changes
should be specified. Attach a
copy of the written document
setting out the terms of the
tenancy agreement. Continue
on additional sheets of paper
if necessary).

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

d.	Existing rent for the house	£..... (per/week*/month*/year*)
	Proposed adjustment plus/minus	£..... (per/week*/month*/year*)
	Proposed new rent	£..... (per/week*/month*/year*)

* delete as appropriate

NOTE 5 TO TENANT.
TO REFER YOUR LANDLORD'S PROPOSALS TO A RENT ASSESSMENT COMMITTEE YOU MUST USE FORM AT3(T) (OBTAINABLE FROM THE CLERK TO THE RENT ASSESSMENT COMMITTEE, THE RENT REGISTRATION SERVICE, CITIZENS ADVICE BUREAU OR HOUSING ADVISORY CENTRE) THE APPLICATION SHOULD BE SENT TO THE CLERK TO THE LOCAL RENT ASSESSMENT COMMITTEE (SEE TELEPHONE BOOK FOR ADDRESS). THE RENT ASSESSMENT COMMITTEE IS AN INDEPENDENT BODY WHICH CHARGES NO FEE.

NOTE 6 TO TENANT.
DETACH PART 7 AND RETURN IT TO THE SENDER OF THE NOTICE AS SOON AS POSSIBLE. HOWEVER IF YOU DECIDE TO DISCUSS THE PROPOSAL(S) WITH YOUR LANDLORD DO NOT COMPLETE PART 7 NOW, BUT REMEMBER THERE IS A 'THREE MONTH TIME-LIMIT' FOR REFERRING THE PROPOSALS TO A RENT ASSESSMENT COMMITTEE.

NOTE 7 TO TENANT.
THIS IS AN IMPORTANT DOCUMENT AND YOU SHOULD KEEP IT IN A SAFE PLACE.

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

Part 7 (This part of the notice is for the use of the tenant.)

To..... (name)
(landlord*/landlord's agent*)

I acknowledge receipt of notice AT1(L) dated 19..... (date of notice)
and give you notice that: - (* delete as appropriate)

- * I accept the proposed terms of the statutory assured tenancy [and the proposed adjustment to the rent*.]
- * I do not accept the proposed terms of the statutory assured tenancy and/or the proposed adjustment to the rent, and intend to refer this notice to a Rent Assessment Committee.

Signed

.....
(Tenant/Tenant's Agent)

Date

(If tenancy is a joint tenancy all tenants or their agents should sign).

FORM AT1(T): FOR USE ONLY BY A TENANT

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

ASSURED TENANCIES

AT1(T)

HOUSING (SCOTLAND) ACT 1988

**NOTICE UNDER SECTION 17(2) PROPOSING TERMS
OF A STATUTORY ASSURED TENANCY DIFFERENT
FROM THE TERMS OF THE FORMER TENANCY**

IMPORTANT: INFORMATION FOR LANDLORD(S)

This notice proposes a change in the terms of the tenancy (and possibly an adjustment to the rent to reflect the change) for the house at the address in part 2. The new terms (and rent, if appropriate) will take effect from the date specified unless you and the tenant negotiate different terms or you refer this notice to a Rent Assessment Committee using a special form AT3(L) within three months of the date of service of this notice. The Rent Assessment Committee will determine whether the proposed terms are reasonable and can specify adjustments to the terms and the rent. You should give your response to the proposed changes by returning Part 6 of this notice to your tenant.

Please read this notice carefully before responding.

Part 1. This notice is served on (landlord's name) as landlord by (tenant's name) as tenant under section 17(2) of the Housing (Scotland) Act 1988.

NOTE 1 TO LANDLORD.
YOUR TENANT MAY PROPOSE A CHANGE OF TENANCY TERMS BY THIS MEANS ONLY IF THE TENANCY IS A STATUTORY ASSURED TENANCY. IF YOU ARE IN DOUBT WHAT KIND OF TENANCY YOU HAVE YOU SHOULD CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.

Part 2. Address of house to which this notice relates:-
.....
.....
.....
.....

(Please be as specific as possible. For example, if the tenancy is of a flat give the location in stair, eg 1F1)

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

NOTE 2 TO LANDLORD.
THIS NOTICE PROPOSES CHANGES TO THE TERMS OF THE TENANCY FOR THE HOUSE TO WHICH THE NOTICE RELATES. YOUR TENANT MUST GIVE YOU AT LEAST THREE MONTHS NOTICE OF THE CHANGES. THEY WILL TAKE EFFECT FROM THE DATE SPECIFIED IF YOU DO NOT ACT WITHIN THREE MONTHS OF THE DATE OF SERVICE OF THIS NOTICE. READ THE NOTICE CAREFULLY. IF YOU ARE IN DOUBT WHAT ACTION YOU SHOULD TAKE, GET ADVICE IMMEDIATELY FROM A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.

Part 3. I your tenant(s)/I your tenant's agent* give notice of proposed changes in the terms of the tenancy for the house at the address in part 2. The proposed changes are shown in paragraph (c) of part 5 of this notice and are to come into effect on (date).

Signed

(In a joint tenancy all tenants should sign)

Date

NOTE 3 TO LANDLORD.
IF YOUR TENANT PROPOSES THAT THE RENT IS TO BE ADJUSTED TO TAKE ACCOUNT OF THE PROPOSED NEW TENANCY TERMS, PART 4 MUST ALSO BE COMPLETED.

Part 4. I your tenant(s)/I your tenant's agent* give notice of an adjustment of rent as shown in paragraph (d) of part 5 of this notice to take account of the proposed terms. The adjustment is to come into effect on (date).

Signed

(In a joint tenancy all tenants should sign)

Date

* delete as appropriate

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

NOTE 4 TO LANDLORD.
IF YOU DO NOT WISH TO ACCEPT THE TERMS PROPOSED OR WISH TO REFER THE PROPOSALS TO A RENT ASSESSMENT COMMITTEE THEN A MEETING WITH THE TENANT TO DISCUSS THE PROPOSALS MIGHT BE HELPFUL. YOU SHOULD, HOWEVER, KEEP IN MIND THE THREE MONTH TIME-LIMIT FOR REFERRING THE PROPOSALS TO A RENT ASSESSMENT COMMITTEE.

Part 5.

- a. Date(s) on which your assured tenancy agreement or contract of tenancy began.
- b. Date when the notice to quit terminating the assured tenancy expired or, if you succeeded to the tenancy, the date on which you succeeded.
- c. The proposed changes to the terms of the tenancy are:
 (Note to the Tenant.
 The exact nature of the changes should be specified. Attach a copy of the written document setting out the terms of the tenancy agreement. Continue on additional sheets of paper if necessary).
- d. Existing rent for the house £..... (per/week*/month*/year*)
 Proposed adjustment plus/minus £..... (per/week*/month*/year*)
 Proposed new rent £..... (per/week*/month*/year*)

* delete as appropriate

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

NOTE 5 TO LANDLORD.
TO REFER YOUR TENANT'S PROPOSALS TO A RENT ASSESSMENT COMMITTEE YOU MUST USE FORM AT3(L) (OBTAINABLE FROM THE CLERK OF THE RENT ASSESSMENT COMMITTEE, THE RENT REGISTRATION SERVICE, CITIZENS ADVICE BUREAU OR HOUSING ADVISORY CENTRE) THE APPLICATION SHOULD BE SENT TO THE CLERK OF THE LOCAL RENT ASSESSMENT COMMITTEE (SEE TELEPHONE BOOK FOR ADDRESS). THE RENT ASSESSMENT COMMITTEE IS AN INDEPENDENT BODY WHICH CHARGES NO FEE.

NOTE 6 TO LANDLORD.
DETACH PART 6 AND RETURN IT TO THE SENDER OF THE NOTICE AS SOON AS POSSIBLE. HOWEVER, IF YOU DECIDE TO DISCUSS THE PROPOSAL(S) WITH YOUR TENANT DO NOT COMPLETE PART 6 NOW, BUT REMEMBER THAT THERE IS A THREE MONTH TIME-LIMIT FOR REFERRING THE PROPOSALS TO THE RENT ASSESSMENT COMMITTEE.

NOTE 7 TO LANDLORD.
THIS IS AN IMPORTANT DOCUMENT AND YOU SHOULD KEEP IT IN A SAFE PLACE.

Part 6. (This part of the notice is for the use of the landlord)

To(name)
tenant*/tenants' agent*

I acknowledge receipt of notice AT1(T) dated 19.. (date of notice) and give you notice that:-
(*delete as appropriate)

- * I accept the proposed terms of the statutory assured tenancy [and the proposed adjustment to the rent.]*
- * I do not accept the proposed terms of the statutory assured tenancy and/or the proposed adjustment to the rent, and intend to refer this notice to a Rent Assessment Committee.

Signed
(landlord/landlord's agent)

Date

* delete as appropriate.

FORM AT2: FOR USE ONLY BY A LANDLORD

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

ASSURED TENANCIES

AT2

HOUSING (SCOTLAND) ACT 1988

NOTICE UNDER SECTION 24(1) OF AN INCREASE OF RENT UNDER AN ASSURED TENANCY

IMPORTANT: INFORMATION FOR TENANT(S)

This notice informs you as tenant(s) that your landlord(s) wish(es) to increase the rent for your assured tenancy. The new rent will take effect unless you reach an agreement with your landlord that the rent should be a different amount or unless you refer this notice to a Rent Assessment Committee for a rent determination using a special form AT4. If you do apply to the Committee you must do so before the date on which the new rent is due to take effect. You should give your landlord your response to the proposed new rent by returning to him Part 3 of this notice.

Please read this notice carefully before responding.

Part 1. To (name of tenant(s))
of
.....
..... (address of tenant(s))

NOTE 1 TO TENANT. YOUR LANDLORD MUST GIVE YOU AT LEAST THE FOLLOWING AMOUNT OF NOTICE OF A RENT INCREASE. IF THE ASSURED TENANCY IS FOR 6 MONTHS OR MORE, 6 MONTHS NOTICE MUST BE GIVEN. IF THE TENANCY IS FOR LESS THAN 6 MONTHS, THE NOTICE GIVEN MUST BE THE SAME LENGTH AS THE ORIGINAL TENANCY BUT CANNOT BE LESS THAN ONE MONTH.

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

Part 2. This gives you notice that
(name of landlord)

of

.....

.....

(address of landlord)

proposes to charge a new rent of £

[per year]*

[per month]*

[per week]*

for your tenancy of the house at the address in Part 1.

The new rent is to take effect from (date)

Signed (Landlord(s)/Landlord's Agent)

Date

Address of Agent (if appropriate)

.....

.....

IMPORTANT: FOR THE ATTENTION OF TENANT(S) NOTES 2 TO 4

2. A LANDLORD MAY PROPOSE A NEW RENT BY THIS MEANS ONLY IF THE TENANCY IS A STATUTORY ASSURED TENANCY. IF YOU ARE IN DOUBT ABOUT WHAT KIND OF TENANCY YOU HAVE YOU SHOULD CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.

3. THE PROPOSED NEW RENT WILL TAKE EFFECT ON THE DATE SPECIFIED UNLESS YOU REACH SOME OTHER AGREEMENT WITH YOUR LANDLORD OR UNLESS YOU REFER THE NOTICE TO A RENT ASSESSMENT COMMITTEE FOR A RENT DETERMINATION BEFORE THE DATE ON WHICH THE NEW RENT TAKES EFFECT.

4. IF YOU DECIDE TO REFER THIS NOTICE TO THE RENT ASSESSMENT COMMITTEE YOU MUST DO SO USING FORM A4 (OBTAINABLE FROM THE CLERK TO THE RENT ASSESSMENT COMMITTEE, THE RENT REGISTRATION SERVICE, CITIZENS ADVICE BUREAU OR HOUSING ADVISORY CENTRE). THE APPLICATION SHOULD BE MADE TO THE LOCAL RENT ASSESSMENT COMMITTEE (SEE TELEPHONE BOOK FOR ADDRESS). THE RENT ASSESSMENT COMMITTEE IS AN INDEPENDENT BODY WHICH CHARGES NO FEE.

*delete as appropriate.

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IMPORTANT: FOR THE ATTENTION OF TENANT(S) NOTES 5 TO 7

5. YOUR LANDLORD CANNOT INCREASE YOUR RENT BY THIS METHOD MORE OFTEN THAN ONCE EVERY 12 MONTHS.

6. DETACH PART 3 AND RETURN IT TO YOUR LANDLORD AS SOON AS POSSIBLE. HOWEVER IF YOU WISH TO DISCUSS THE PROPOSED NEW RENT WITH YOUR LANDLORD DO NOT COMPLETE PART 3 NOW. BUT REMEMBER IF YOU DECIDE TO REFER THE NEW RENT TO THE RENT ASSESSMENT COMMITTEE YOU MUST DO SO BEFORE THE DATE ON WHICH THE NEW RENT IS DUE TO TAKE EFFECT.

7. THIS IS AN IMPORTANT DOCUMENT AND IT SHOULD BE KEPT IN A SAFE PLACE.

Part 3. (This part is for the use of the tenant).

To
(landlord*/landlord's agent)

*I/We acknowledge receipt of the notice AT2 dated19. and give you notice that

*I/We accept the new rent to apply from
..... 19....

*I/We do not accept the new rent to apply from
..... 19... and

propose to refer the matter to a Rent Assessment Committee for a rent determination.

Signed (Tenant/Tenant's agent)

(If the tenancy is a joint tenancy all tenants or their agents should sign)

Date

Address of tenant's agent(s) (if appropriate)

.....
.....

*delete as appropriate.

FORM AT3(L): FOR USE ONLY BY A LANDLORD

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

ASSURED TENANCIES

AT3(L)

HOUSING (SCOTLAND) ACT 1988

Application by a landlord to a Rent Assessment Committee for a determination of the terms of a statutory assured tenancy and, if appropriate, rent for that tenancy under Section 17(3) of the Housing (Scotland) Act 1988.

IMPORTANT: INFORMATION FOR LANDLORD(S)

This form should be used by a landlord who wishes to refer to a Rent Assessment Committee a Notice AT1(T) served on him by his tenant to propose a change in the terms of a tenancy agreement for the house at the address in part 1. You should read this application form carefully. Complete the form as fully as you can. Insert 'NOT KNOWN' where the information is not available. Where boxes are shown tick only one. It would be helpful if you would type your answers or use BLOCK LETTERS in BLACK INK and send 2 copies of the form if possible, to the Clerk to the Rent Assessment Committee.

This form must be with the Clerk to the Committee within 3 months of the date on which your tenant served on you Notice AT1(T).

Part 1. Address of House being let.

.....
.....

Part 2. Name, address and telephone number of landlord.

.....
.....

Name, address and telephone number of landlord's agent (if any).

.....
.....

Part 3. Name and telephone number of tenant(s)

.....
.....

Name, address and telephone number of tenant's agent (if any).

.....
.....

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

Part 4. Details of House.

Say what kind of house it is, such as a detached or terraced house or flat or part of a house. (If a flat give location in stair eg 1F1.)

.....

Give number and type of rooms (eg bedroom, living room).

.....

.....

Is there any accommodation or facilities shared with another tenant? If yes, give details. No Yes

.....

.....

Is there any accommodation or facilities shared with the landlord? If yes, give details. No Yes

.....

.....

Does the tenancy include a garage, garden, yard or any other separate building or land? If yes, give details. No Yes

.....

.....

Part 5. Services

Does the landlord provide any services (such as cleaning, heating or hot water supply)? If yes, give details. No Yes

.....

.....

What charge is made for these services at present?

.....

Part 6. Furniture

Does the landlord provide any furniture?. If yes please attach a list of the furniture provided. If you do not have one, prepare one and attach it to this form. No Yes

.....

.....

.....

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Part 7. Improvements

During the present or any former tenancy has the tenant or any previous tenant carried out any improvement or replaced fixtures, fittings or furniture for which he is (or he was) not responsible under the terms of the tenancy? If yes, give details including the costs (actual or estimated) and the approximate date on which the work was carried out.

No Yes

.....
.....
.....
.....
.....

Part 8. Disrepair

Is there any disrepair or other defect to the house or to any fixtures, fittings or furniture due to a failure to comply with the terms of the present or any former tenancy? If yes, give details.

No Yes

.....
.....
.....
.....

Part 9. I apply for the proposed terms of the statutory assured tenancy [and the proposed adjustment to the rent]* to be determined by a Rent Assessment Committee.

Signed

[landlord(s)] [landlord's agent]*

In the case of joint landlords all landlords should sign.

..... (date)

* delete as appropriate

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

Part 10. In submitting your application you should attach copies of certain documents which will be required by the Rent Assessment Committee to help it make a determination. You should attach the following:-

- a. A copy of the existing tenancy agreement or written document setting out the terms of the tenancy.
- b. A copy of Notice AT1(T) served on you by your tenant (including any attachments to that form).
- c. If you provide furniture, a list of the furniture.
- d. If the tenancy is a short assured tenancy a copy of Notice AT5 which you served on the tenant.

Any documents which you send with this application will be returned to you as soon as possible.

Tick each box to indicate that you have attached the relevant form.

Please send this application form to the Clerk to the Rent Assessment Committee for your area (see telephone book for the address).

FORM AT3(T): FOR USE ONLY BY A TENANT

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

ASSURED TENANCIES

AT3(T)

HOUSING (SCOTLAND) ACT 1988

Application by a tenant to a Rent Assessment Committee for a determination of the terms of a statutory assured tenancy and, if appropriate, rent for that tenancy under Section 17(3) of the Housing (Scotland) Act 1988.

IMPORTANT: INFORMATION FOR TENANT(S)

This form should be used by a tenant who wishes to refer to a Rent Assessment Committee a notice AT1(L) served on him by his landlord to propose a change in the terms of a tenancy agreement for the house at the address in part 1. You should read this application form carefully. Complete the form as fully as you can. Insert 'NOT KNOWN' where the information is not available. Where boxes are shown tick only one. It would be helpful if you would type your answers or use BLOCK LETTERS in BLACK INK and send 2 copies of the form if possible, to the Clerk to the Rent Assessment Committee.

This form must be with the Clerk to the Committee within 3 months of the date on which your landlord served on you Notice AT1(L).

Part 1. Address of House being let.

.....
.....

Part 2. Name, address and telephone number of landlord.

.....
.....

Name, address and telephone number of landlord's agent (if any).

.....
.....

Part 3. Name and telephone number of tenant(s)

.....
.....

Name, address and telephone number of tenant's agent (if any).

.....
.....

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

Part 4. Details of House.

Say what kind of house it is, such as a detached or terraced house or flat or part of a house. (If a flat give location in stair eg 1F1.)

.....

Give number and type of rooms (eg bedroom, living room).

.....

.....

Is there any accommodation or facilities shared with another tenant? If yes, give details. No Yes

.....

.....

Is there any accommodation or facilities shared between tenant and landlord? If yes, give details. No Yes

.....

.....

Does the tenancy include a garage, garden, yard or any other separate building or land? If yes, give details. No Yes

.....

.....

Part 5. Services

Are services provided under the tenancy (such as cleaning, heating or hot water supply)? If yes, give details. No Yes

.....

.....

What charge is made for these services at present?

.....

Part 6. Furniture

Is furniture provided under the tenancy? If yes, please attach a list of the furniture provided. If you do not have one prepare one and attach it to this form. No Yes

.....

.....

.....

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

Part 7. Improvements

During the present or any former tenancy have you or has any previous tenant carried out any improvement or replaced fixtures, fittings or furniture for which you are (or he was) not responsible under the terms of the tenancy? If yes, give details including the costs (actual or estimated) and the approximate date on which the work was carried out.

No Yes

.....
.....
.....
.....
.....

Part 8. Disrepair

Is there any disrepair or other defect to the house or to any fixtures, fittings or furniture due to a failure to comply with the terms of the present or any former tenancy? If yes, give details.

No Yes

.....
.....
.....
.....
.....

Part 9. I apply for the proposed terms of the statutory assured tenancy [and the proposed adjustment to the rent]* to be determined by a rent assessment committee.

Signed

[tenant(s)] [tenant's agent]*

In the case of joint tenants all tenants should sign.

..... (date)

* delete as appropriate

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

Part 10. In submitting your application you should attach copies of certain documents which will be required by the Rent Assessment Committee to help it make a determination. You should attach the following:-

- a. A copy of your existing tenancy agreement or written document setting out the terms of the tenancy.
- b. A copy of Notice AT1(L) served on you by your landlord (including any attachments to that form)
- c. If your landlord provides furniture, a list of the furniture.
- d. If your tenancy is a short assured tenancy a copy of Notice AT5 served on you by the landlord.

Any documents which you send with this application will be returned to you as soon as possible.

Tick each box to indicate that you have attached the relevant form. If you do not have a copy of any of these forms, consult your Solicitor, local Citizens Advice Bureau or Housing Advisory Centre.

Please send this application form to the Clerk to the Rent Assessment Committee for your area (see telephone book for the address).

FORM AT4: FOR USE ONLY BY A TENANT

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

ASSURED TENANCIES

AT4

HOUSING (SCOTLAND) ACT 1988

Application by a tenant to a rent assessment committee for a determination of rent under sections 24(3) and 34(1) of the Housing (Scotland) Act 1988

IMPORTANT: INFORMATION FOR TENANT(S)

This form should be used if you as tenant are seeking a determination of rent from the Rent Assessment Committee for your assured or short assured tenancy. This might be as a result of a Notice AT2 having been served on you by your landlord (a Notice AT2 proposes an increase in rent for an assured tenancy), or, if you are a tenant of a short assured tenancy, because you would like the Committee to look at the rent you are being charged. Please note that tenants of short assured tenancies have different rights to apply to Rent Assessment Committees from other assured tenants. You are therefore advised to read this application form carefully. Complete the form as fully as you can. Insert 'NOT KNOWN' where the information is not available. Where boxes are shown tick only one. It would be helpful if you would type your answers or use BLOCK LETTERS in BLACK INK and send 2 copies of the form, if possible, to the Clerk of the Rent Assessment Committee.

Part 1. Address of House being let.

.....
.....

Part 2. Name, address and telephone number of landlord.

.....
.....

Name, address and telephone number of landlord's agent (if any).

.....
.....

Part 3. Name and telephone number of tenant(s)

.....
.....

Name, address and telephone number of tenant's agent (if any).

.....
.....

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Part 4. Details of House.

Say what kind of house it is, such as a detached or terraced house or flat or part of a house. (If a flat give location in stair eg 1F1.)

.....

Give number and type of rooms (eg bedroom, living room).

.....

.....

Is there any accommodation or facilities shared with another tenant? If yes, give details. No Yes

.....

.....

Is there any accommodation or facilities shared between tenant and landlord? If yes, give details. No Yes

.....

.....

Does the tenancy include a garage, garden, yard or any other separate building or land? If yes, give details. No Yes

.....

.....

Part 5. Services

Are services provided under the tenancy (such as cleaning, heating or hot water supply)? If yes, give details. No Yes

.....

.....

What charge is made for these services at present?

.....

Part 6. Furniture

Is furniture provided under the tenancy? If yes, please attach a list of the furniture provided. If you do not have one prepare one and attach it to this form. No Yes

.....

.....

.....

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Part 7. Improvements

During the present or any former tenancy have you or has any previous tenant carried out any improvement or replaced fixtures, fittings or furniture for which you are (or he was) **not** responsible under the terms of the tenancy? If yes, give details including the costs (actual or estimated) and the approximate date on which the work was carried out.

No Yes

.....
.....
.....
.....
.....

Part 8. Disrepair

Is there any disrepair or other defect to the house or to any fixtures, fittings or furniture due to a failure to comply with the terms of the present or any former tenancy? If yes, give details.

No Yes

.....
.....
.....
.....
.....

Part 9. What rent are you paying now?

£ [per week*] [per month*] [per year*]

If you are responding to a rent increase proposed by your landlord please attach a copy of Notice AT2 which gave notice of the proposed new rent.

* delete as appropriate

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Part 10. I apply to the Rent Assessment Committee for a rent determination for the house at the address in part 1 above.

Signed (tenant or tenant's agent)

Date

(In the case of joint tenants all tenants should sign.)

Part 11. In submitting your application you should attach copies of certain documents which will be required by the Rent Assessment Committee to help it make a determination. You should attach the following:-

- a. A copy of your existing tenancy agreement or written document setting out the terms of the tenancy.
- b. A copy of Notice AT2 if one has been served on you by your landlord (including any attachments to that form).
- c. If your landlord provides furniture, a list of the furniture; and
- d. If your tenancy is a short assured tenancy a copy of Notice AT5 served on you by the landlord.

Any documents which you send with this application will be returned to you as soon as possible.

Tick each box to indicate that you have attached the relevant form.

Please send this application form to the Clerk to the Rent Assessment Committee for your area (see telephone book for the address).

FORM AT5: FOR USE ONLY BY A LANDLORD

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

ASSURED TENANCIES

AT 5

HOUSING (SCOTLAND) ACT 1988

**NOTICE UNDER SECTION 32 TO BE
SERVED ON A PROSPECTIVE TENANT
OF A SHORT ASSURED TENANCY**

IMPORTANT: INFORMATION FOR PROSPECTIVE TENANT(S)

This notice informs you as prospective tenant(s) that the tenancy being offered by the prospective landlord(s) is a short assured tenancy under Section 32 of the Housing (Scotland) Act 1988.

Please read this notice carefully.

Part 1 To
(name of prospective tenant(s))

**NOTE 1 TO PROSPECTIVE TENANT.
TO BE VALID THIS NOTICE MUST BE SERVED BEFORE THE CREATION OF A
TENANCY AGREEMENT. A SHORT ASSURED TENANCY WILL NOT EXIST IF A
VALID NOTICE HAS NOT BEEN SERVED.**

Part 2 I your prospective landlord(s) / I your prospective landlord's agent*
.....
(name of landlord(s))

of
.....
(address and telephone number of landlord(s))

give notice that the tenancy being offered to you of the
house at
.....
(address of house)

* delete as appropriate

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to which this notice relates is to be a short assured tenancy in terms of Section 32 of the Housing (Scotland) Act 1988.

Signed
(landlord(s) or landlords' agent)

Date

NOTE 2 TO PROSPECTIVE TENANT.
A SHORT ASSURED TENANCY IS A SPECIAL FORM OF TENANCY. UNLESS IT FOLLOWS IMMEDIATELY AFTER ANOTHER SHORT ASSURED TENANCY OF THE SAME HOUSE, (WITH THE SAME TENANT) IT MUST BE FOR NOT LESS THAN 6 MONTHS.

NOTE 3 TO PROSPECTIVE TENANT.
A LANDLORD OF A SHORT ASSURED TENANCY HAS SPECIAL RIGHTS TO REPOSSESS THE HOUSE. IF THE LANDLORD TERMINATES THE TENANCY BY ISSUING A VALID NOTICE TO QUIT AND GIVES THE TENANT AT LEAST 2 MONTHS NOTICE (OR A LONGER PERIOD IF THE TENANCY AGREEMENT PROVIDES) OF HIS INTENTION TO REPOSSESS THE HOUSE THE COURT MUST GRANT THE LANDLORD AN ORDER ALLOWING HIM TO EVICT THE TENANT IF HE APPLIES FOR ONE AT THE END OF THE TENANCY PERIOD SET OUT IN THE TENANCY AGREEMENT.

Part 3. Address and telephone number of agents if appropriate

of landlord(s) agent

of Tenants(s) agent

.....
.....
.....
.....

NOTE 4 TO PROSPECTIVE TENANT.

A TENANT OF A SHORT ASSURED TENANCY HAS A SPECIAL RIGHT TO APPLY TO A RENT ASSESSMENT COMMITTEE FOR A RENT DETERMINATION FOR THE TENANCY.

NOTE 5 TO PROSPECTIVE TENANT.

IF YOU AGREE TO TAKE UP THE TENANCY AFTER YOUR LANDLORD HAS SERVED THIS NOTICE ON YOU YOUR TENANCY WILL BE A SHORT ASSURED TENANCY. YOU SHOULD KEEP THIS NOTICE IN A SAFE PLACE ALONG WITH THE WRITTEN DOCUMENT SETTING OUT THE TERMS OF TENANCY WHICH YOUR LANDLORD MUST PROVIDE UNDER SECTION 30 OF THE HOUSING (SCOTLAND) ACT 1988 ONCE THE TERMS ARE AGREED.

NOTE 8 TO PROSPECTIVE TENANT.

IF YOU REQUIRE FURTHER GUIDANCE ON ASSURED AND SHORT ASSURED TENANCIES, CONSULT A SOLICITOR OR ANY ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.

SPECIAL NOTES FOR EXISTING TENANTS

1. If you already have a regulated tenancy, other than a short tenancy, should you give it up and take a new tenancy in the same house or another house owned by the same landlord, that tenancy **cannot** be an assured tenancy or a short assured tenancy. Your tenancy will continue to be a regulated tenancy.
2. If you have a short tenancy under the Tenant's Rights etc (Scotland) Act 1980 or the Rent (Scotland) Act 1984 your landlord **can** offer you an assured tenancy or short assured tenancy of the same or another house on the expiry of your existing tenancy.
3. If you are an existing tenant and are uncertain about accepting the proposed short assured tenancy you are strongly advised to consult a solicitor or any organisation which gives advice on housing matters

FORM AT6: FOR USE ONLY BY A LANDLORD

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ASSURED TENANCIES

AT 6

**HOUSING (SCOTLAND) ACT 1988
AS AMENDED BY PARAGRAPH 85 OF SCHEDULE 17
TO THE HOUSING ACT 1988**

**NOTICE UNDER SECTION 19 OF INTENTION
TO RAISE PROCEEDINGS FOR POSSESSION**

IMPORTANT: INFORMATION FOR TENANT(S)

This notice informs you as tenant that your landlord intends to apply to the Sheriff for an Order for possession of the house at the address in Part 1, which is currently occupied by you.

Part 1 To
(name of tenant(s))
of
.....
.....
.....
(address of house)

NOTE 1 TO TENANT.
IF YOU ARE UNCERTAIN ABOUT WHAT THIS NOTICE MEANS, OR IF YOU ARE IN DOUBT ABOUT ANYTHING IN IT, OR ABOUT ITS VALIDITY OR WHETHER IT IS FILLED IN PROPERLY YOU SHOULD IMMEDIATELY CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS. YOU MAY ALSO FIND IT HELPFUL TO DISCUSS THIS NOTICE WITH YOUR LANDLORD.

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Part 2 I/we [on behalf of]* your landlord(s)

.....
(name(s) of landlord(s))

of

.....

.....
(address and telephone number of landlord(s))

inform you that I/we* intend to raise proceedings for possession of the house at the address in Part 1 above on the following ground/grounds* being a ground/grounds* for possession as set out in Schedule 5 to the Housing (Scotland) Act 1988.

.....

.....

.....

(give the ground number(s) and fully state ground(s) as set out in Schedule 5 to the Housing (Scotland) Act 1988: continue on additional sheets of paper if required)

NOTE 2 TO TENANT.
A FULL LIST OF THE 17 GROUNDS FOR POSSESSION IN SCHEDULE 5 TO THE HOUSING (SCOTLAND) ACT 1988 TOGETHER WITH INFORMATION ON YOUR RIGHTS AS TENANT IS GIVEN IN THE BOOKLET "ASSURED TENANCIES IN SCOTLAND- A GUIDE FOR LANDLORDS AND TENANTS". IT IS AVAILABLE FROM ANY OFFICE OF THE RENT ASSESSMENT COMMITTEE, CITIZENS ADVICE BUREAU, HOUSING ADVISORY CENTRE OR FROM THE RENT REGISTRATION SERVICE.

Part 3. I/we also inform you that I/we are seeking possession under the above ground/grounds* for the following reasons:-

.....

.....

.....

.....

(state particulars of how you believe the ground(s) have arisen: continue on additional sheets of paper if required)

* delete as appropriate

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NOTE 3 TO TENANT.
YOUR LANDLORD MUST GIVE YOU PROPER NOTICE BETWEEN SERVING THIS NOTICE AND RAISING COURT PROCEEDINGS. IF ANY OF GROUNDS, 1, 2, 5, 6, 7, 9 AND 17 APPLY, WITH OR WITHOUT OTHER GROUNDS, 2 MONTHS NOTICE MUST BE GIVEN. YOUR LANDLORD MUST ALSO GIVE YOU 2 MONTHS NOTICE IF YOUR TENANCY IS A SHORT ASSURED TENANCY AND YOUR LANDLORD IS SEEKING REPOSSESSION ON THE GROUND THAT THE TENANCY PERIOD HAS EXPIRED. IF ONLY OTHER GROUNDS APPLY, ONLY 2 WEEKS NOTICE NEED BE GIVEN.

Part 4. Proceedings will not be raised before(date) (which is the earliest date at which proceedings can be raised under Section 19 of the Housing (Scotland) Act 1988).

Signed (Landlord(s) or Landlord's agent)

Date

* delete as appropriate

NOTE 4 TO TENANT.
IF YOUR LANDLORD DOES NOT RAISE COURT PROCEEDINGS THIS NOTICE AT6 WILL CEASE TO HAVE EFFECT 6 MONTHS AFTER THE EARLIEST DATE ON WHICH COURT PROCEEDINGS COULD HAVE BEEN RAISED (SEE PART 4 OF THE NOTICE).

NOTE 5 TO TENANT.
IF YOU WANT TO CONTEST YOUR LANDLORD'S INTENTION TO REPOSSESS YOUR HOME, YOU ARE STRONGLY ADVISED TO TAKE LEGAL ADVICE WITHOUT DELAY AND BEFORE THE EXPIRY OF THE TIME LIMIT GIVEN BY THE NOTICE. HELP WITH ALL OR PART OF THE COST OF LEGAL ADVICE MAY BE AVAILABLE UNDER THE LEGAL AID LEGISLATION.

NOTE 6 TO TENANT.
REMEMBER BEFORE YOU MUST LEAVE YOUR HOME, YOUR LANDLORD MUST HAVE DONE 3 THINGS:

- 1. SERVED ON YOU A NOTICE TO QUIT (NOTE CAREFULLY THAT THIS MAY HAVE BEEN SERVED AT AN EARLIER STAGE IN THE TENANCY TO CHANGE THE TENANCY FROM A CONTRACTUAL TO A STATUTORY ASSURED TENANCY); AND**
- 2. SERVED ON YOU AN AT6 (THIS NOTICE); AND**
- 3. OBTAINED A COURT ORDER.**

NOTE 7 TO TENANT.
THIS IS AN IMPORTANT DOCUMENT AND YOU SHOULD KEEP IT IN A SAFE PLACE.

FORM AT7: FOR USE ONLY BY A LANDLORD

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ASSURED TENANCIES

AT 7

**HOUSING (SCOTLAND) ACT 1988
NOTICE UNDER SECTION 32(4) THAT A NEW OR CONTINUING
TENANCY IS NOT TO BE A SHORT ASSURED TENANCY**

IMPORTANT: INFORMATION FOR TENANT(S)

This notice informs you as tenant that your landlord is proposing to offer you a new tenancy which is not a short assured tenancy, or to continue your existing tenancy, as an assured tenancy, not as a short assured tenancy. Please read this notice carefully.

Part 1. To
(name of tenant(s))
of
.....
.....
(address of tenant(s))

**NOTE 1 TO TENANT.
YOU SHOULD NOTE THAT THIS NOTICE SERVED BY YOUR LANDLORD
CHANGES YOUR TENANCY FROM A SHORT ASSURED TENANCY TO AN
ASSURED TENANCY. PLEASE READ THIS NOTICE CAREFULLY. IF YOU ARE IN
DOUBT ABOUT WHAT IT MEANS, YOU MAY WISH TO DISCUSS THE NOTICE WITH
YOUR LANDLORD OR CONSULT A SOLICITOR OR AN ORGANISATION WHICH
GIVES ADVICE ON HOUSING MATTERS.**

Part 2. I/We* [on behalf of]* your landlord(s)
.....
(name(s) of landlord(s))
of
.....
(address and telephone number of landlord(s))

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Give notice that:-

*[Your tenancy of the house at the address in Part 1 is to continue with its current terms and conditions but that as from(date) it will no longer be a short assured tenancy.]

* [Your new tenancy of the house at the address in Part 1 which takes effect from(date) will not be a short assured tenancy]

Notice AT5 which informed you that your original tenancy was a short assured tenancy, and which was served on you on (date of service of notice AT5) no longer applies.

Signed (Landlord(s) or Landlord's agent)

Date

* delete as appropriate

NOTE 2 TO TENANT.
YOUR LANDLORD MUST SERVE THIS NOTICE ON YOU BEFORE THE BEGINNING OF THE NEW TENANCY OR BEFORE THE EXISTING TENANCY'S EXPIRY DATE IF IT IS TO CONTINUE. IF HE DOES NOT, THE NOTICE HAS NO EFFECT.

NOTE 3 TO TENANT.
AS A TENANT OF AN ASSURED TENANCY (RATHER THAN OF A SHORT ASSURED TENANCY) YOUR RIGHTS TO MAKE AN APPLICATION TO A RENT ASSESSMENT COMMITTEE FOR A DETERMINATION OF YOUR RENT WILL CHANGE. A TENANT OF AN ASSURED TENANCY CAN REFER TO THE RENT ASSESSMENT COMMITTEE A RENT INCREASE PROPOSED BY THE LANDLORD ONLY IN CERTAIN CIRCUMSTANCES. FURTHER INFORMATION ABOUT THIS IS AVAILABLE IN "ASSURED TENANCIES IN SCOTLAND - A GUIDE FOR LANDLORDS AND TENANTS".

NOTE 4 TO TENANT.
IN AN ASSURED TENANCY YOUR LANDLORD CANNOT REPOSSESS YOUR HOME SOLELY BECAUSE THE EXPIRY DATE IN THE TENANCY AGREEMENT HAS BEEN REACHED BUT OTHERWISE THE SECURITY OF TENURE OF AN ASSURED TENANT IS THE SAME AS THAT OF A TENANT WITH A SHORT ASSURED TENANCY.

NOTE 5 TO TENANT.
YOU SHOULD RETAIN THIS NOTICE AND KEEP IT IN A SAFE PLACE ALONG WITH THE WRITTEN DOCUMENT PROVIDED BY YOUR LANDLORD SETTING OUT THE TERMS OF YOUR TENANCY.

ASSURED TENANCIES AT8HOUSING (SCOTLAND) ACT 1988NOTICE UNDER SECTION 48(2) REQUIRINGTHAT A LANDLORD OR TENANT SUPPLYTHE RENT ASSESSMENT COMMITTEE WITH INFORMATION

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

IMPORTANT:

This Notice is served on you by the Rent Assessment Committee. It requires you to supply the Committee with the information detailed in Part 3 below. This information is needed to allow the Committee to make a determination of rent or terms of the tenancy as provided for by the Housing (Scotland) Act 1988. You should provide the information by the date in Part 4. Failure to provide the information may make you liable to summary conviction and a fine.

Please read this Notice carefully before responding.

Part 1 To landlord/tenant *

Part 2. An application has been made to the Rent Assessment Committee for consideration of:-

- * the terms of the statutory assured tenancy
- * the terms of the statutory assured tenancy and a consequent adjustment in rent to reflect those terms
- * an increase in rent for the statutory assured tenancy
- * the rent under the short assured tenancy

for the house at:

.....
.....
.....
.....

(address of house let under the tenancy)

* delete as appropriate

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Part 3. To help the Committee consider this application further information is needed from you. The further information required is:-

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Part 4. You should send this information to the address given in Part 5 of this Notice by(date) **NOTE:** The date must be not less than 14 days after the date on which this notice is served. If you do not comply with this Notice without reasonable excuse you will be liable on summary conviction to a fine not exceeding level 3 on the standard scale. If you are not clear exactly what information you are to provide to the Committee, please contact me immediately.

Part 5. Signed

for the Rent Assessment Committee

.....
.....
.....
.....

(address and telephone number of Committee)

Date

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the forms which are to be used in connection with assured tenancies and short assured tenancies under the Housing (Scotland) Act 1988 in the cases where these forms are applicable.