

Status: Point in time view as at 30/09/2002.

Changes to legislation: Housing (Scotland) Act 2001, Paragraph 11 is up to date with all changes known to be in force on or before 18 April 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)

SCHEDULE 3 SUCCESSION TO SCOTTISH SECURE TENANCY: QUALIFIED PERSONS

Commencement Information

- II** Sch. 3 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2, Sch. (subject to transitional provisions and savings in arts. 3-5)

Declining a tenancy

- 11 (1) A qualified person who is entitled to the benefit of paragraph 6, 7 or 8 may decline the tenancy by giving the landlord notice in writing within 4 weeks of the tenant's death or, where the qualified person was given notice under paragraph 10, within 4 weeks of the date on which that notice was given.
- (2) Notice under sub-paragraph (1) has effect as if given at the time of the tenant's death.
- (3) A qualified person who declines a tenancy—
- (a) must vacate the house within 3 months of the date of the notice under sub-paragraph (1) declining the tenancy,
 - (b) is liable to pay rent which becomes due after the tenant's death only in respect of any rental period (that is to say, a period in respect of which an instalment of rent falls to be paid) during any part of which the qualified person has occupied the house after the tenant's death.

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