



Housing (Scotland) Act 2001

2001 asp 10

PART 2

TENANTS OF SOCIAL LANDLORDS

CHAPTER 1

SCOTTISH SECURE TENANCIES

Short Scottish secure tenancies

35 Conversion to short Scottish secure tenancy

- (1) A Scottish secure tenancy of a house becomes a short Scottish secure tenancy by virtue of this section immediately on the landlord serving on the tenant a notice under subsection (3).
- (2) The landlord may serve a notice under subsection (3) only where the tenant (or any one of joint tenants) or a person residing or lodging with, or subtenant of, the tenant is subject to an anti-social behaviour order under section 19 of the Crime and Disorder Act 1998 (c. 37).
- (3) A notice under this subsection must—
 - (a) state that the Scottish secure tenancy to which it relates becomes a short Scottish secure tenancy by virtue of service of the notice, and
 - (b) specify the tenant or other person who is subject to the anti-social behaviour order.
- (4) Subsections (5) and (6) of section 34 apply to a tenancy which becomes a short Scottish secure tenancy by virtue of this section.
- (5) Where a Scottish secure tenancy becomes a short Scottish secure tenancy by virtue of this section, a tenant who is aggrieved by the conversion may raise proceedings by summary application.
- (6) In such proceedings the court may, if it considers that there are good grounds for doing so, grant a declarator that the notice under subsection (3) is of no effect.