



Housing (Scotland) Act 2001

2001 asp 10

PART 1

HOMELESSNESS AND ALLOCATION OF HOUSING

7 Persons living in hostel and other short-term accommodation

- (1) This section applies to the occupancy of residential accommodation, or of any description of residential accommodation, on such basis as may be specified in regulations made by the Scottish Ministers.
- (2) Such regulations must not specify occupancy of accommodation—
 - (a) as heritable proprietor,
 - (b) secured by—
 - (i) a Scottish secure tenancy or what would be a Scottish secure tenancy but for paragraph 1, 2 or 8 of schedule 1,
 - (ii) a short Scottish secure tenancy,
 - (iii) an assured tenancy or what would be an assured tenancy but for paragraph 8 of Schedule 4 to the 1988 Act,
 - (iv) a short assured tenancy.
- (3) The Scottish Ministers may specify by regulations terms which are to have effect as terms of an occupancy to which this section applies as between the occupier and the person providing the accommodation; and any agreement between those persons has no effect so far as it is inconsistent with any such term.
- (4) Regulations under subsection (3) must include provision for a minimum period of notice to be given by the person providing the accommodation to the occupier before the right of occupancy can be terminated; but such provision does not prevent the earlier termination of occupancy rights where there is a serious danger to other occupiers or staff of the accommodation.
- (5) Regulations under subsection (3) may also make provision for an application to the court by a person whose occupancy is terminated on the ground that there is a serious danger to other occupiers or staff of the accommodation.

Status: This is the original version (as it was originally enacted).

- (6) Subsection (3) does not prevent the occupier and the person providing the accommodation from agreeing terms of the occupancy additional to those specified in the regulations.
- (7) A person providing such accommodation who fails, without reasonable excuse, to comply with a term specified under subsection (3) is guilty of an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (8) Before making any regulations under subsection (3), the Scottish Ministers must consult—
- (a) such associations representing local authorities,
 - (b) such associations representing registered social landlords, and
 - (c) such other persons,
- as they think fit on the proposed regulations.