



Housing (Scotland) Act 2006

2006 asp 1

PART 5

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Enforcement by local authority

152 Effect of person moving from living accommodation

(1) Where—

- (a) a person moves from any living accommodation for the purposes of enabling any person to carry out any work required under section 145(2) or 146(2) (whether in pursuance of a requirement under paragraph 2(1) of schedule 5 or a warrant under paragraph 3(4) of that schedule or otherwise), and
- (b) that person resides in the living accommodation under a tenancy or occupancy arrangement,

the tenancy or occupancy arrangement, if that person so chooses, is to be taken not to have terminated, varied or altered by reason of that person moving.

(2) If a person who has so moved resumes lawful occupation, the same terms apply (except so far as otherwise agreed) in respect of that occupation as applied in respect of the previous occupation.

(3) In this section “lawful occupation” means occupation which is not an offence under paragraph 4 of schedule 5.

Commencement Information

II [S. 152](#) in force at 31.8.2011 by [S.S.I. 2010/159](#), [art. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 152.