



Private Rented Housing (Scotland) Act 2011

2011 asp 14

PART 3

OVERCROWDING STATUTORY NOTICES

23 Appeals

- (1) The landlord may appeal against an overcrowding statutory notice by summary application to the sheriff.
- (2) An application under subsection (1) must be made—
 - (a) where representations under section 22(1) have been made, before the expiry of the period of 28 days beginning with the service of the notice,
 - (b) in any other case, before the expiry of the period of 21 days beginning with the service of the notice.
- (3) But the sheriff may, on cause shown, hear an appeal made after the deadline set by subsection (2).
- (4) The sheriff may determine the appeal by making an order—
 - (a) confirming the notice,
 - (b) varying it in such manner as may be specified in the order, or
 - (c) revoking the notice.
- (5) The sheriff's decision on any such appeal is final.
- (6) Where this section applies to the variation of an overcrowding statutory notice by virtue of section 24(4)(b), the sheriff's powers under subsection (4) of this section are not prejudiced in relation to the overcrowding statutory notice.