



# Housing (Scotland) Act 2014

## 2014 asp 14

### PART 2

#### SOCIAL HOUSING

##### *Scottish secure tenancy*

#### **14 Grounds for eviction: antisocial behaviour**

(1) In section 14 of the 2001 Act (proceedings for possession), after subsection (2A) insert—

“(2B) Where such proceedings are to include a ground for recovery of possession set out in paragraph 2 of schedule 2, the landlord must have regard to any guidance published by the Scottish Ministers before raising such proceedings in relation to recovering possession of the house.

(2C) Before publishing any guidance mentioned in subsection (2B), the Scottish Ministers must consult such persons as they consider appropriate.”.

(2) In section 16 of the 2001 Act (powers of court in possession proceedings)—

(a) in subsection (2), after paragraph (a) insert—

“(aa) whether or not paragraph (a) applies, that—

(i) the landlord has a ground for recovery of possession set out in paragraph 2 of that schedule and so specified, and

(ii) the landlord served the notice under section 14(2) before the day which is 12 months after—

(A) the day on which the person was convicted of the offence forming the ground for recovery of possession, or

(B) where that conviction was appealed, the day on which the appeal is dismissed or abandoned,” and

(b) after subsection (3), insert—

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*Status: This is the original version (as it was originally enacted).*

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“(3A) Subsection (2) does not affect any other rights that the tenant may have by virtue of any other enactment or rule of law.”.