



# Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

## PART 7

### MISCELLANEOUS PROVISIONS

#### **71 First-tier Tribunal's jurisdiction**

- (1) In relation to civil proceedings arising from a private residential tenancy—
  - (a) the First-tier Tribunal has whatever competence and jurisdiction a sheriff would have but for paragraph (b),
  - (b) a sheriff does not have competence or jurisdiction.
- (2) For the purposes of subsection (1), civil proceedings are any proceedings other than—
  - (a) the prosecution of a criminal offence,
  - (b) any proceedings related to such a prosecution.

#### **72 First-tier Tribunal's duty to report unregistered landlords**

- (1) The First-tier Tribunal must notify the local authority in whose area a property is being let if, in the course of relevant proceedings before it, the Tribunal learns or is given cause to suspect that the landlord under the tenancy is not registered as a landlord with the local authority.
- (2) In notifying a local authority under subsection (1), the Tribunal must tell the local authority—
  - (a) the landlord's name and address, and
  - (b) the address of the property mentioned in that subsection.
- (3) For the purposes of subsection (1)—
  - (a) proceedings are "relevant proceedings" if—
    - (i) they arise from a private residential tenancy under which the property mentioned in that subsection is or was let, and
    - (ii) the landlord is a party to them,

- (b) a person is not registered as a landlord with a local authority if the person is not entered in the register prepared and maintained by the local authority for the purposes of Part 8 of the Antisocial Behaviour etc. (Scotland) Act 2004.

### **73 Minor errors in documents**

- (1) An error in the completion of a document to which this section applies does not make the document invalid unless the error materially affects the effect of the document.
- (2) This section applies to—
  - (a) a notice under section 14(3), 16(3)(c), 22(1) or 61(1),
  - (b) the document by which a referral is made to a rent officer under section 24(1),
  - (c) the document by which an application is made to a rent officer under section 42(1), and
  - (d) a notice to leave (as defined by section 62(1)).