
Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Paragraph 14. (See end of Document for details)

SCHEDULE 3 EVICTION GROUNDS

PART 3

TENANT'S CONDUCT

Anti-social behaviour

- 14 (1) It is an eviction ground that the tenant has engaged in relevant anti-social behaviour.
- (2) The First-tier Tribunal may find that the ground named by sub-paragraph (1) applies if—
- (a) the tenant has behaved in an anti-social manner in relation to another person,
 - (b) the anti-social behaviour is relevant anti-social behaviour,
 - [^{F1}(ba) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of that fact, and]
 - (c) either—
 - (i) the application for an eviction order that is before the Tribunal was made within 12 months of the anti-social behaviour occurring, or
 - (ii) the Tribunal is satisfied that the landlord has a reasonable excuse for not making the application within that period.
- (3) For the purposes of this paragraph, a person is to be regarded as behaving in an anti-social manner in relation to another person by—
- (a) doing something which causes or is likely to cause the other person alarm, distress, nuisance or annoyance,
 - (b) pursuing in relation to the other person a course of conduct which—
 - (i) causes or is likely to cause the other person alarm, distress, nuisance or annoyance, or
 - (ii) amounts to harassment of the other person.
- (4) In sub-paragraph (3)—
- “conduct” includes speech,
 - “course of conduct” means conduct on two or more occasions,
 - “harassment” is to be construed in accordance with section 8 of the Protection from Harassment Act 1997.
- (5) Anti-social behaviour is relevant anti-social behaviour for the purpose of sub-paragraph (2)(b) if the Tribunal is satisfied that it is reasonable to issue an eviction order as a consequence of it, given the nature of the anti-social behaviour and—
- (a) who it was in relation to, or
 - (b) where it occurred.
- (6) In a case where two or more persons jointly are the tenant under a tenancy, the reference in sub-paragraph (2) to the tenant is to any one of those persons.

Textual Amendments

- F1** Sch. 3 para. 14(2)(ba) substituted for word (1.10.2022) by Coronavirus (Recovery and Reform) (Scotland) Act 2022 (asp 8), ss. 43(3)(k), 59(1) (with s. 48(1))

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Paragraph 14. (See end of Document for details)

Commencement Information

II Sch. 3 para. 14 in force at 1.12.2017 by S.S.I. 2017/346, reg. 2, sch.

Changes to legislation:

There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Paragraph 14.