
Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Paragraph 4. (See end of Document for details)

SCHEDULE 3 EVICTION GROUNDS

PART 1

LET PROPERTY REQUIRED FOR ANOTHER PURPOSE

Landlord intends to live in property

- 4 (1) It is an eviction ground that the landlord intends to live in the let property.
- (2) The First-tier Tribunal [^{F1}may] find that the ground named by sub-paragraph (1) applies if—
- [^{F2}(a)] the landlord intends to occupy the let property as the landlord's only or principal home for at least 3 months [^{F3}, and
- (b) the Tribunal is satisfied that it is reasonable to issue an eviction order on account of that fact.]
- (3) References to the landlord in this paragraph—
- (a) in a case where two or more persons jointly are the landlord under a tenancy, are to be read as referring to any one of them,
- (b) in a case where the landlord holds the landlord's interest as a trustee under a trust, are to be read as referring to a person who is a beneficiary under the trust.
- (4) Evidence tending to show that the landlord has the intention mentioned in sub-paragraph (2) includes (for example) an affidavit stating that the landlord has that intention.

Textual Amendments

- F1** Word in sch. 3 para. 4(2) substituted (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(asp 8\)](#), **ss. 43(3)(d)(i)**, 59(1) (with s. 48(1))
- F2** Words in sch. 3 para. 4(2) renumbered as sch. 3 para. 4(2)(a) (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(asp 8\)](#), **ss. 43(3)(d)(ii)**, 59(1) (with s. 48(1))
- F3** Sch. 3 para. 4(2)(b) and word inserted (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(asp 8\)](#), **ss. 43(3)(d)(iii)**, 59(1) (with s. 48(1))

Commencement Information

- I1** Sch. 3 para. 4 in force at 1.12.2017 by [S.S.I. 2017/346](#), reg. 2, **sch.**

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