



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 1 **S**

PRIVATE RESIDENTIAL TENANCY

1 **Meaning of private residential tenancy **S****

- (1) A tenancy is a private residential tenancy where—
- (a) the tenancy is one under which a property is let to an individual (“the tenant”) as a separate dwelling,
 - (b) the tenant occupies the property (or any part of it) as the tenant's only or principal home, and
 - (c) the tenancy is not one which schedule 1 states cannot be a private residential tenancy.
- (2) A tenancy which is a private residential tenancy does not cease to be one by reason only of the fact that subsection (1)(b) is no longer satisfied.

Commencement Information

II [S. 1](#) in force at 1.12.2017 by [S.S.I. 2017/346](#), [reg. 2](#), [sch.](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Private Housing (Tenancies) (Scotland) Act 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) coming into force by [S.S.I. 2017/293 reg. 2Sch.](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2017/293 is revoked and superseded by S.S.I. 2017/346)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31A inserted (temp.) by [S.S.I. 2024/89 reg. 2\(1\)\(4\)](#)