



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 1

PRIVATE RESIDENTIAL TENANCY

2 Interpretation of section 1

- (1) This section makes provision about the interpretation of section 1.
- (2) A tenancy is to be regarded as one under which a property is let to an individual notwithstanding that it is let jointly to an individual, or individuals, and another person.
- (3) A tenancy is to be regarded as one under which a property is let as a separate dwelling, despite the let property including other land, where the main purpose for letting the property is to provide the tenant with a home.
- (4) A tenancy is to be regarded as one under which a property is let as a separate dwelling if, despite the let property lacking certain features or facilities—
 - (a) the terms of the tenancy entitle the tenant to use property in common with another person (“shared accommodation”), and
 - (b) the let property would be regarded as a separate dwelling were it to include some or all of the shared accommodation.
- (5) In a case where two or more persons jointly are the tenant under a tenancy, references to the tenant in section 1(1)(b) and in subsection (3) are to any one of those persons.