



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 1

PRIVATE RESIDENTIAL TENANCY

3 Writing not required to constitute private residential tenancy

- (1) A purported contract becomes lawfully constituted, despite not being constituted in a written document as required by section 1(2) of the Requirements of Writing (Scotland) Act 1995, when—
 - (a) a person occupies a property as the person's only or principal home in pursuance of the purported contract's terms, and
 - (b) the tenancy which the purported contract would create, were it lawfully constituted, would satisfy the conditions in paragraphs (a) and (c) of section 1(1).
- (2) Any term of a purported contract which is unrelated to a private residential tenancy is not to be regarded as a term of the contract for the purpose of subsection (1).