



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 5

TERMINATION

CHAPTER 1

SECURITY OF TENURE

47 Qualification of sub-tenant protection

- (1) Section 46(2) does not apply where the tenancy of the person who was the landlord under the sub-tenancy was brought to an end by an eviction order and either—
- (a) the order was issued (exclusively or not) on the basis of an eviction ground mentioned in subsection (2), or
 - (b) the order states that section 46(2) does not apply.
- (2) The eviction grounds referred to in subsection (1)(a) are—
- (a) that the landlord intends to sell the let property,
 - (b) that a lender intends to sell the let property,
 - (c) that the landlord intends to carry out significantly disruptive works to, or in relation to, the let property,
 - (d) that the landlord intends to live in the let property,
 - (e) that a member of the landlord's family intends to live in the let property,
 - (f) that the landlord intends to use the let property for a purpose other than housing,
 - (g) that the let property is required for use in connection with the purposes of a religion,
 - (h) that the tenancy was entered into to provide an employee with a home and the tenant is not a qualifying employee,

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 47. (See end of Document for details)

- (i) that the tenancy was entered into on account of the tenant having an assessed need for community care and the tenant has since been assessed as no longer having that need,
- (j) that the landlord is not registered by the relevant local authority under the Antisocial Behaviour etc. (Scotland) Act 2004,
- (k) that the let property or associated living accommodation is in multiple occupation and not licensed under Part 5 of the Housing (Scotland) Act 2006,
- (l) that an overcrowding statutory notice has been served on the landlord.

Commencement Information

II S. 47 in force at 1.12.2017 by [S.S.I. 2017/346](#), reg. 2, [sch.](#)

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