



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 5

TERMINATION

CHAPTER 3

TERMINATION AT LANDLORD'S INSTIGATION

Wrongful termination

59 Wrongful-termination order

- (1) In this section and in sections 57, 58 and 60, “a wrongful-termination order” means an order requiring the person who was the landlord under the tenancy immediately before it ended to pay the person who made the application for the wrongful-termination order an amount not exceeding six months’ rent.
- (2) Subsection (3) applies where—
 - (a) the First-tier Tribunal intends to make a wrongful-termination order under section 57 or 58, and
 - (b) two or more persons jointly were the landlord under the tenancy in question immediately before it was brought to an end.
- (3) The Tribunal may make a wrongful-termination order—
 - (a) against all, some, or only one of the former joint landlords,
 - (b) stating that each person against whom the order is made is liable to pay a specified amount, but the cumulative total of each of the specified amounts must not exceed six months’ rent,
 - (c) stating that each person against whom the order is made is jointly and severally liable for the whole amount to be paid.
- (4) In subsections (1) and (3)(b), “rent” means—

Status: This is the original version (as it was originally enacted).

- (a) the amount that was payable in rent under the tenancy immediately before it ended, or
- (b) in a case where two or more persons jointly were the tenant under the tenancy immediately before it ended, the amount mentioned in paragraph (a) divided by the number of persons who were at that time joint tenants under the tenancy.