

SCHEDULE 1 EVICTION FROM DWELLING-HOUSES

Private residential tenancies: extension of notice periods

- 2 (1) The Private Housing (Tenancies) (Scotland) Act 2016 applies, in relation to a notice to leave within the meaning of section 62 of that Act served on a tenant while this paragraph is in force, in accordance with the modifications in this paragraph.
- (2) Section 54 (restriction on applying during the notice period) has effect as if for subsections (2) and (3) there were substituted—
- “(2) The relevant period in relation to a notice to leave—
- (a) begins on the day the tenant receives the notice to leave from the landlord, and
 - (b) expires on the day falling—
 - (i) 28 days after it begins if subsection (3) applies,
 - (ii) three months after it begins if subsection (3A) applies,
 - (iii) six months after it begins if neither subsection (3) nor (3A) applies.
- (3) This subsection applies if the only eviction ground stated in the notice to leave is that the tenant is not occupying the let property as the tenant's home.
- (3A) This subsection applies if—
- (a) the only eviction ground, or grounds, stated in the notice to leave is, or are, one or more of the following—
 - (i) that the landlord intends to live in the let property,
 - (ii) that a member of the landlord's family intends to live in the let property,
 - (iii) that the tenant has a relevant conviction,
 - (iv) that the tenant has engaged in relevant anti-social behaviour,
 - (v) that the tenant associates in the let property with a person who has a relevant conviction or has engaged in relevant anti-social behaviour,
 - (vi) that the landlord is not registered by the relevant local authority under the Antisocial Behaviour etc. (Scotland) Act 2004,
 - (vii) that the let property or associated living accommodation is in multiple occupation and not licensed under Part 5 of the Housing (Scotland) Act 2006, or
 - (b) the only eviction grounds stated in the notice to leave are—
 - (i) the eviction ground mentioned in subsection (3), and
 - (ii) an eviction ground, or grounds, mentioned in paragraph (a).”.
- (3) Section 64 (six month periods) has effect as if for it there were substituted—

Status: This is the original version (as it was originally enacted).

“64 Three or six month periods

- (1) A reference in this Part to a period of three or, as the case may be, six months (however expressed) is to a period which ends in the month which falls three or, as the case may be, six months after the month in which it began, either—
 - (a) on the same day of the month as it began, or
 - (b) if the month in which the period ends has no such day, on the final day of that month.
- (2) Subsection (1) does not apply in relation to the references to six months in section 59.”.