

SCHEDULE 1
EVICTION FROM DWELLING-HOUSES

Assured tenancies: eviction grounds to be discretionary

- 3 (1) The Housing (Scotland) Act 1988 applies, in relation to a notice served on a tenant under section 19 or 33(1)(d) of that Act while this paragraph is in force, in accordance with the modifications in this paragraph.
- (2) Section 18 (orders for possession) has effect as if—
- (a) subsections (3) and (3A) were repealed,
 - (b) in subsection (4), for “Part II” there were substituted “Part I or Part II”,
 - (c) in subsection (4A), after the word “possession” there were inserted “on Ground 8 in Part I of Schedule 5 to this Act or”.
- (3) Section 20 has effect as if subsection (6) (no discretion where landlord entitled to possession) were repealed.
- (4) Section 33 (recovery of possession on termination of a short assured tenancy) has effect as if in subsection (1)—
- (a) in the opening words, for the word “shall” there were substituted “may”,
 - (b) after paragraph (b), the word “and” were repealed,
 - (c) after paragraph (d) there were inserted “, and
 - (e) that it is reasonable to make an order for possession.”.
- (5) Schedule 5 (grounds for possession of houses let on assured tenancies) has effect as if for the heading of Part I there were substituted “Certain grounds on which First-tier Tribunal may order possession in relation to the period of the Coronavirus (Scotland) Act 2020”.