

## SCHEDULE 1 EVICTION FROM DWELLING-HOUSES

### *Consequential modifications in relation to prescribed forms*

- 9 (1) The Private Residential Tenancies (Prescribed Notices and Forms) (Scotland) Regulations 2017 ([S.S.I. 2017/297](#)) are to be read, in relation to a notice to leave within the meaning of section 62 of the Private Housing (Tenancies) (Scotland) Act 2016 served on a tenant while paragraph 2 is in force, as if—
- (a) in schedule 5 (notice to leave)—
    - (i) in the text preceding Part 1, for “84 days’ notice, depending on how long you have occupied the Let Property and” there were substituted “three or six months’ notice, depending on”,
    - (ii) in Part 1, the words “The tenant(s) has lived in the property since:” were deleted, together with the space for completion immediately following it,
    - (iii) in Part 4, for the words “(28 days or 84 days depending on the eviction ground or how long you have occupied the Let Property).” there were substituted “(normally 3 months or 6 months, depending on the ground on which eviction is being sought, but this will be 28 days if eviction is being sought on the ground that you are no longer occupying the Let Property).”,
  - (b) in schedule 6 (sub-tenancy notice to leave)—
    - (i) in the text preceding Part 1, for the words “if you have lived in the property for six months or less or 84 days’ notice if you have lived in the property for more than six months.” there were substituted “and may be required to give you three or six months’ notice, depending on the grounds on which they intend to apply for eviction.”,
    - (ii) in Part 1, the words “The Sub-Tenant(s) has lived in the property since:” were deleted, together with the space for completion immediately following it,
    - (iii) in Part 4, for the words “(28 days or 84 days depending on how long you have occupied the property).” there were substituted “(normally 3 months or 6 months, depending on the ground on which eviction is being sought, but this will be 28 days if eviction is being sought on the ground that you are no longer occupying the Let Property).”.
- (2) The Rent Regulation and Assured Tenancies (Forms) (Scotland) Regulations 2017 ([S.S.I. 2017/349](#)) are to be read, in relation to a notice served on a tenant under section 19 or 33(1)(d) of the Housing (Scotland) Act 1988 while paragraph 4 is in force, as if in the schedule, in Form AT6 (notice under section 19 of intention to raise proceedings for possession), for the note 3 to the tenant on Part 3 there were substituted the following—
- “Your landlord must give you proper notice between serving this notice and raising proceedings in the Tribunal. If only ground 9 applies, two months’ notice must be given. If only grounds 1 or 15 apply, or if grounds 1 or 15 apply together with ground 9, three months’ notice must be given. If any of grounds 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16 or 17 apply, with or without any other grounds, six months’ notice must be given.”.

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

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- (3) The Short Scottish Secure Tenancies (Proceedings for Possession) Regulations 2018 ([S.S.I. 2018/155](#)) are to be read, in relation to a notice served on a tenant under section 36(2)(a) of the Housing (Scotland) Act 2001 while paragraph 7 is in force, as if in schedule 2 (notice under section 36 of intention to raise proceedings for possession), in note 3 to the tenant for the words “2 months’ notice” there were substituted “6 months’ notice”.