



Housing (Scotland) Act 2014

2014 asp 14

PART 2

SOCIAL HOUSING

Scottish secure tenancy

14 Grounds for eviction: antisocial behaviour

- (1) In section 14 of the 2001 Act (proceedings for possession), after subsection (2A) insert—

“(2B) Where such proceedings are to include a ground for recovery of possession set out in paragraph 2 of schedule 2, the landlord must have regard to any guidance published by the Scottish Ministers before raising such proceedings in relation to recovering possession of the house.

(2C) Before publishing any guidance mentioned in subsection (2B), the Scottish Ministers must consult such persons as they consider appropriate.”.

- (2) In section 16 of the 2001 Act (powers of court in possession proceedings)—

(a) in subsection (2), after paragraph (a) insert—

“(aa) whether or not paragraph (a) applies, that—

(i) the landlord has a ground for recovery of possession set out in paragraph 2 of that schedule and so specified, and

(ii) the landlord served the notice under section 14(2) before the day which is 12 months after—

(A) the day on which the person was convicted of the offence forming the ground for recovery of possession, or

(B) where that conviction was appealed, the day on which the appeal is dismissed or abandoned,” and

(b) after subsection (3), insert—

Changes to legislation: Housing (Scotland) Act 2014, Section 14 is up to date with all changes known to be in force on or before 08 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

“(3A) Subsection (2) does not affect any other rights that the tenant may have by virtue of any other enactment or rule of law.”.

Commencement Information

I1 [S. 14\(1\)](#) in force at 20.11.2014 by [S.S.I. 2014/264](#), art. 2, [Sch.](#)

I2 [S. 14\(2\)](#) in force at 1.5.2019 by [S.S.I. 2018/153](#), art. 2, [sch.](#) (with arts. 5, 9)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2016/412, art. 3(1) (a) by [S.S.I. 2017/330 art. 2](#)
- specified provision(s) amendment to earlier commencing SSI 2015/272 Sch. by [S.S.I. 2015/349 art. 2\(2\)](#)