
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

The Scottish Secure Tenancies (Proceedings for Possession) (Pre-Action Requirements) Order 2012

Steps which are likely to result in a payment within a reasonable time

6. In determining if steps taken by the tenant are steps with the meaning of section 14A(6)(b) (payment within a reasonable time) the landlord must—

- (a) attempt to establish whether the tenant is taking other steps to pay the outstanding rent and any other outstanding financial obligation of the tenancy, in addition to meeting their ongoing rental obligations;
- (b) consider all evidence available to the landlord of steps taken by the tenant to pay the outstanding rent and any other outstanding financial obligations of the tenancy, including evidence of a claim for benefits, grants, or lump sum payments due; and
- (c) assess whether any of the steps that the landlord ascertains are being taken by the tenant in paragraphs (a) and (b) are likely to result in payment within a reasonable time of the outstanding rent and any other outstanding financial obligation of the tenancy.