

SCHEDULE 5

Regulation 6

NOTICE TO LEAVE

LANDLORD'S NOTICE TO A TENANT TO LEAVE UNDER SECTION 50(1)(a) OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016

Important information for the Tenant(s) - Please read this notice carefully.

Advice - If you have questions about this notice, speak to your Landlord or contact one of the following:

- your local council
- Shelter Scotland
- your local Citizen's Advice Bureau
- a solicitor (you may be able to get legal aid depending on your income)

Homelessness - Speak to your local council if you're worried about having somewhere to live. They can advise you on your options.

This notice informs you, the Tenant, that your Landlord is giving you notice to leave the Let Property, and if you do not leave the property once the relevant notice period has expired, your Landlord can apply to the First-tier Tribunal for Scotland (the Tribunal) for an eviction order.

Your Landlord must give you a minimum of 28 days' notice, and may be required to give you 84 days' notice, depending on how long you have occupied the Let Property and the grounds on which they intend to apply for eviction.

Part 1 – TENANT'S DETAILS

To:
(Name of tenant(s)):

Of:
(Address of Let Property): _____

The tenant(s) has lived in the property since: _____

Status: This is the original version (as it was originally made).

Part 2 – EVICTION GROUND(S) BEING USED

[I/We*] your [Landlord(s)/Landlord’s Agent*]:

(insert name of Landlord(s)/Agent): _____

Of:

(address and telephone number of Landlord(s)/Agent): _____

inform you that if you choose not to leave the Let Property on the date shown in Part 4 of this notice, I/we* intend to apply to the Tribunal for an eviction order in respect of the Let Property on the following ground(s) which is a ground(s) for eviction as set out in schedule 3 of the Private Housing (Tenancies) (Scotland) Act 2016:

- Your Landlord intends to sell the Let Property
- The Let Property is to be sold by the mortgage lender
- Your Landlord intends to refurbish the Let Property
- Your Landlord intends to live in the Let Property
- Your Landlord’s family member intends to live in the Let Property
- Your Landlord intends to use the Let Property for a non-residential purpose
- The Let Property is required for a religious purpose
- You cease to be - or fail to become - an employee of the Landlord
- You no longer need supported accommodation
- You are no longer occupying the Let Property
- You have breached a term(s) of your tenancy agreement
- You are in rent arrears over three consecutive months
- You have a relevant criminal conviction
- You have engaged in relevant antisocial behaviour
- You have associated in the Let Property with someone who has a relevant criminal conviction or has engaged in relevant antisocial behaviour
- Your Landlord has had their registration refused or revoked
- Your Landlord’s HMO licence has been revoked or renewal has been refused
- An Overcrowding Statutory Notice has been served on your Landlord

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

Part 3 - DETAILS AND EVIDENCE OF EVICTION GROUND(S)

[I/We*] also inform you that [I/we*] are seeking eviction under the above ground(s) for the following reasons:

[State particulars of how you believe the ground(s) have arisen – continue on additional sheets of paper if required. Please give as much detail as possible including relevant dates, and in cases of rent arrears insert the amount of arrears outstanding and the period over which it has built up.]

It is important that the Tenant fully understands why you are seeking to evict them and that the action you are taking is justified. The provision of supporting evidence with this notice can help do that.

[I/We*] attach the following evidence to support the eviction action:

* delete as appropriate

Part 4 – THE END OF THE NOTICE PERIOD

An application will not be submitted to the Tribunal for an eviction order before _____(insert date). This is the earliest date that Tribunal proceedings can start and will be at least the day after the end date of the relevant notice period (28 days or 84 days depending on the eviction ground or how long you have occupied the Let Property).

Signed:
(Landlord(s) or Agent): _____

Dated: _____

THIS IS AN IMPORTANT DOCUMENT AND YOU SHOULD KEEP IT IN A SAFE PLACE.