



# Housing (Scotland) Act 1987

## 1987 CHAPTER 26

### PART XI

#### RENTS AND SERVICE CHARGES

##### **212 Rent increase notice.**

- (1) Where an authority lets a house held by it for housing purposes to a tenant it shall be an implied term of the tenancy that the rent or any other charge payable to the authority under the tenancy may be increased by notice (“rent increase notice”) without the tenancy being terminated.
- (2) A rent increase notice shall—
  - (a) be in writing;
  - (b) specify the increased rent and the date on which it has effect;
  - (c) be given to the tenant at least 4 weeks before it has effect;
  - (d) inform the tenant of his right to terminate the tenancy and of the steps to be taken if he wishes to do so;
  - (e) inform him of the dates by which the notice of removal under section 213 must be received and the tenancy terminated if the increase is not to have effect.
- (3) A rent increase notice given in accordance with this section shall have effect unless a removal notice is given in accordance with section 213.
- (4) For the purposes of this section an authority is—
  - (a) a [<sup>F1</sup>local authority];
  - (b) a joint board or a joint committee;
  - (c) a development corporation;
  - (d) the Scottish Special Housing Association;
  - [<sup>F2</sup>(e) Scottish Water]
- (5) This section does not apply to a [<sup>F3</sup>Scottish] secure tenancy.

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**Changes to legislation:** *Housing (Scotland) Act 1987, Section 212 is up to date with all changes known to be in force on or before 09 May 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*

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#### Textual Amendments

- F1** Words in s. 212(4)(a) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 152(5)(a)**; S.I. 1996/323, **art. 4**
- F2** S. 212(4)(e) substituted (1.4.2002) by 2002 asp 3, s. 71, **Sch. 7 para. 18(3)** (with s. 67); S.S.I. 2002/118, **art. 2(3)** (subject to savings in art. 3)
- F3** Word in s. 212(5) inserted (30.9.2002) by 2001 asp 10, s. 112, **Sch. 10 para. 13(21)**; S.S.I. 2002/321, **art. 2, Sch.** (with transitional provisions and savings in arts. 3-5)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 212(5) by [2001 asp 10 Sch. 10 para. 13\(21\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)