



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XIV

ASSISTANCE FOR OWNERS OF DEFECTIVE HOUSING

Effect of repurchase on occupier

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- (1) Where an authority mentioned in section 44 (authorities satisfying the landlord condition for secure tenancy) acquire an interest in a defective dwelling in pursuance of Schedule 20 (repurchase) and—
- (a) the land in which the interest subsists is or includes a house occupied as a separate dwelling, and
 - (b) the interest of the person entitled to assistance by way of repurchase is, immediately before the completion of the authority's acquisition, subject to a tenancy of the house,
- the tenancy shall not, on or after the acquisition, become a secure tenancy unless the conditions specified in subsection (2) are met.
- (2) The conditions are—
- (a) that the tenancy was a protected tenancy throughout the period beginning with the making of an application for assistance under this Part in respect of the defective dwelling and ending immediately before the authority's acquisition; and
 - (b) no notice was given in respect of the tenancy in accordance with any of Cases 11 to 14 and 16 to 21 in Schedule 2 to the Rent (Scotland) Act 1984 (notice that possession might be recovered under that Case) or under section 34(1)(d) of the Tenants Rights Etc. (Scotland) Act 1980 (notice that tenancy is to be a protected short tenancy).