



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART XVI

GENERAL AND MISCELLANEOUS

Landlord's identity

328 Duty to inform tenant of assignation of landlord's interest.

- (1) If the interest of the landlord under a tenancy of premises which consist of or include a house is assigned, the person to whom that interest is assigned (in this section referred to as "the new landlord") shall, within the appropriate period, give notice in writing to the tenant of the assignation and of the name and address of the new landlord.
- (2) In subsection (1), "the appropriate period" means the period beginning on the date of the assignation in question and ending either two months after that date or, if it is later, on the first day after that date on which rent is payable under the tenancy.
- (3) Subject to subsection (4), the reference in subsection (1) to the new landlord's address is a reference to his place of abode or his place of business or, if the new landlord is a company, its registered office.
- (4) If trustees as such constitute the new landlord, it shall be a sufficient compliance with the obligation in subsection (1) to give the name of the new landlord to give a collective description of the trustees as the trustees of the trust in question, and where such a collective description is given—
 - (a) the address of the new landlord for the purpose of that subsection may be given as the address from which the affairs of the trust are conducted; and
 - (b) a change in the persons who are for the time being the trustees of the trust shall not be treated as an assignation of the interest of the landlord.
- (5) If any person who is the new landlord under a tenancy falling within subsection (1) fails, without reasonable excuse, to give the notice required by that subsection, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Changes to legislation: *Housing (Scotland) Act 1987, Section 328 is up to date with all changes known to be in force on or before 15 January 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*

- (6) In this section, “tenancy” includes a sub-tenancy and a statutory tenancy, within the meaning of the ^{M1}Rent (Scotland) Act 1984 [^{F1}and a statutory assured tenancy within the meaning of the Housing (Scotland) Act 1988] and “tenant” shall be construed accordingly.
- (7) In this section, “assignation” means a conveyance or other transfer (other than in security), and any reference to the date of the assignation means the date on which the conveyance or other transfer was granted, delivered or otherwise made effective.

Textual Amendments

F1 Words inserted by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), s. 72(2), **Sch. 9 para. 19**

Marginal Citations

M1 [1984 c. 58](#).

Changes to legislation:

Housing (Scotland) Act 1987, Section 328 is up to date with all changes known to be in force on or before 15 January 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.

[View outstanding changes](#)

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\(40\)\(a\)\(b\)](#)