



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART III

RIGHTS OF PUBLIC SECTOR TENANTS

Security of tenure

47 Proceedings for possession

- (1) The landlord under a secure tenancy may raise proceedings for recovery of possession of the house by way of summary cause in the sheriff court of the district in which it is situated.
- (2) Proceedings for recovery of possession of a house subject to a secure tenancy may not be raised unless—
 - (a) the landlord has served on the tenant a notice complying with subsection (3);
 - (b) the proceedings are raised on or after the date specified in the said notice; and
 - (c) the notice is in force at the time when the proceedings are raised.
- (3) A notice under this section shall be in a form prescribed by the Secretary of State by statutory instrument, and shall specify—
 - (a) the ground, being a ground set out in Part I of Schedule 3, on which proceedings for recovery of possession are to be raised; and
 - (b) a date, not earlier than 4 weeks from the date of service of the notice or the date on which the tenancy could have been brought to an end by a notice to quit had it not been a secure tenancy, whichever is later, on or after which the landlord may raise proceedings for recovery of possession.
- (4) A notice under this section shall cease to be in force 6 months after the date specified in it in accordance with subsection (3)(b), or when it is withdrawn by the landlord, whichever is earlier.