



Law Reform (Miscellaneous Provisions) (Scotland) Act 1990

1990 CHAPTER 40

PART IV

MISCELLANEOUS REFORMS

Homelessness

65 Homelessness.

- (1) Section 24 of the ^{M1}Housing (Scotland) Act 1987 (definition of homelessness and persons threatened with homelessness) shall be amended as follows.
- (2) After subsection (2) there shall be inserted the following subsections—
 - “(2A) A person shall not be treated as having accommodation unless it is accommodation which it would be reasonable for him to continue to occupy.
 - (2B) Regard may be had, in determining whether it would be reasonable for a person to continue to occupy accommodation, to the general circumstances prevailing in relation to housing in the area of the local authority to whom he has applied for accommodation or for assistance in obtaining accommodation.”
- (3) In subsection (3), after paragraph (b) there shall be inserted—
 - “(bb) it is probable that occupation of it will lead to—
 - (i) violence; or
 - (ii) threats of violence which are likely to be carried out, from some other person who previously resided with that person, whether in that accommodation or elsewhere, or”.

Changes to legislation: Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Cross Heading:
Homelessness is up to date with all changes known to be in force on or before 04 August 2023. 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](#)

Marginal Citations

M1 1987 c. 26.

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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. 21A(1)(c) words substituted by [2007 asp 5 Sch. 5 para. 3\(7\)\(a\)\(iii\)](#)
- s. 33(6) inserted by [2007 asp 5 Sch. 5 para. 3\(11\)](#)