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Housing (Scotland) Act 2001

2001 asp 10

HOUSING (SCOTLAND) ACT 2001

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- 5 Duty of registered social landlord to provide accommodation
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 - 26 Variation of tenancy by court order
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 - 31 Effect of work on rent
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- 32 Assignment, subletting etc.
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- 34 Short Scottish secure tenancies
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- RIGHT TO BUY**
- 42 The qualifying conditions
 - 43 Exemptions from right to buy
 - 44 Limitation on right to buy: registered social landlords
 - 45 Limitation on right to buy: pressured areas
 - 46 Limitation on right to buy: arrears of rent, council tax etc.
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- 8 *Agricultural and business premises*
- 9 *Houses part of, or within curtilage of, certain other buildings*
- 10 *Accommodation in property not owned by landlord*
- 11 *Accommodation for persons with Temporary Protection*

SCHEDULE 2 — SCOTTISH SECURE TENANCY: GROUNDS FOR RECOVERY OF POSSESSION OF HOUSE

PART 1 — GROUNDS ON WHICH COURT MAY ORDER RECOVERY OF POSSESSION

- 1 Rent lawfully due from the tenant has not been paid,...
- 2 The tenant (or any one of joint tenants), a person...
- 3 (1) The condition of the house or of any of...
- 4 The condition of any furniture provided for use under the...
- 5 The tenant and— (a) the tenant's spouse or civil partner...
- 6 The tenant is the person, or one of the persons,...
- 7 (1) The tenant (or any one of joint tenants), a...
- 8 (1) The tenant (or any one of joint tenants) or...
- 9 The house is overcrowded, within the meaning of section 135...
- 10 (1) It is intended within a reasonable period of time...
- 11 The house has been designed or adapted for occupation by...
- 12 The house forms part of a group of houses which...
- 13 The interest of the landlord in the house is that...
- 14 The landlord is Orkney Islands Council, Shetland Islands Council or...
- 15 The landlord wishes to transfer the tenancy of the house...

PART 2 — SUITABILITY OF ACCOMMODATION

- 16 For the purposes of sections 16(4), 19(5), 21(5) and 22(7),...
- 17 In determining whether accommodation is reasonably suitable to the needs...
- 18 If the landlord has made an offer in writing to...

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- 1 *Qualified persons*
- 2 (1) A person whose only or principal home at the...
- 3 A member of the tenant's family aged at least 16...
- 4 A carer providing, or who has provided, care for the...
- 5 *Special rule: specially adapted house*
- 6 *Order of succession*
- 7 If the tenancy does not pass to a qualified person...
- 8 If the tenancy does not pass to a qualified person...
- 9 Where there is more than one qualified person falling within...
- 10 *Notification of right to succeed to tenancy*

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- 11 *Declining a tenancy*
- 12 *Qualified persons: co-operative housing associations*

SCHEDULE 4 — SCOTTISH SECURE TENANCY: LANDLORD'S REPAIRING OBLIGATIONS

- 1 The landlord in a Scottish secure tenancy must—
- 2 The landlord must, before the commencement of the tenancy—
- 3 The landlord must— (a) ensure that any work necessary to...
- 4 The landlord, or any person authorised by it in writing,...
- 5 (1) In determining for the purposes of paragraph 1 whether...
- 6 In paragraph 5, “sanitary defects” includes lack of air space...

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- 1 A tenant under a Scottish secure tenancy who wishes to...
- 2 The landlord may— (a) consent, (b) consent subject to such...
- 3 The conditions which may be imposed under paragraph 2(b) include...
- 4 The landlord must intimate its consent or refusal, any conditions...
- 5 If the landlord fails to comply with paragraph 4, it...
- 6 A tenant who is aggrieved by a refusal, or by...
- 7 In such proceedings the court must, unless it considers that...
- 8 In deciding whether a refusal or a condition is reasonable...

PART 2 — ASSIGNATION, SUBLETTING, EXCHANGE ETC.

- 9 A tenant under a Scottish secure tenancy who, in pursuance...
- 10 A tenant under a Scottish secure tenancy who, in pursuance...
- 11 On an application under paragraph 9 or 10 the landlord...
- 12 The landlord must intimate its consent or refusal and, in...
- 13 If the landlord fails to comply with paragraph 12, it...
- 14 A tenant who is aggrieved by a refusal may raise...
- 15 In such proceedings the court must, unless it considers that...

SCHEDULE 6 — GROUNDS FOR GRANTING SHORT SCOTTISH SECURE TENANCY

- 1 *Previous anti-social behaviour*
- 2 *Anti-social behaviour order*
- 3 *Temporary letting to person seeking accommodation*
- 4 *Temporary letting pending development*
- 5 *Accommodation for homeless persons*
- 6 *Accommodation for person requiring housing support services*
- 7 *Accommodation in property not owned by landlord*

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- 1 *Payments by way of gift, dividend or bonus*
- 2 *Payments and benefits to officers and employees etc.*
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- 4 *General power to remove director, trustee etc.*
- 5 *Industrial and provident society: power to appoint new committee member*
- 6 *Company: power to appoint new director*

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- 7 *Change of rules etc. by industrial and provident society*
- 8 *Change of memorandum or articles of association of company*
- 9 *Amalgamation and dissolution etc. of industrial and provident society*
- 10 *Arrangement, reconstruction etc. of company*
- 11 *Power of the Scottish Ministers to petition for winding up*
- 12 *Transfer of net assets on dissolution or winding up*
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- 14 *Appointment of auditors by industrial and provident societies*
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- PART 4 — INQUIRY INTO AFFAIRS OF REGISTERED SOCIAL LANDLORDS
- 16 *Inquiry*
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- 19 *Power to direct transfer of land*

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- 1 *Interpretation*
- 2 *Initial notice to be given to the Scottish Ministers*
- 3 *Further notice to be given to the Scottish Ministers*
- 4 *Moratorium on disposal of land etc.*
- 5 *Period of moratorium*
- 6 *Proposals as to ownership and management of landlord's land*
- 7 *Effect of agreed proposals*
- 8 *Appointment of manager to implement agreed proposals*
- 9 *Powers of the manager*
- 10 *Powers of the manager: transfer of engagements*
- 11 *Assistance by the Scottish Ministers*
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- 1 *Disposals to which this schedule applies*
- 2 *Application for consent of the Scottish Ministers*
- 3 *Requirements as to consultation*
- 4 *Power to require further consultation*
- 5 *Consent to be withheld unless majority of tenants in favour*
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- 1 *New Towns (Scotland) Act 1968 (c.16)*
- 2 *Friendly and Industrial and Provident Societies Act 1968 (c.55)*
- 3 *Land Compensation (Scotland) Act 1973 (c.56)*
- 4 *Land Tenure Reform (Scotland) Act 1974 (c.38)*
- 5 *House of Commons Disqualification Act 1975 (c.24)*
- 6 *Local Government (Scotland) Act 1975 (c.30)*
- 7 *Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)*
- 8 *Finance Act 1981 (c.35)*
- 9 *Rent (Scotland) Act 1984 (c.58)*
- 10 *Bankruptcy (Scotland) Act 1985 (c.66)*

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- 11 *Housing Associations Act 1985 (c.69)*
- 12 *Housing (Scotland) Act 1986 (c.65)*
- 13 *Housing (Scotland) Act 1987 (c.26)*
- 14 *Housing (Scotland) Act 1988 (c.43)*
- 15 *Housing Act 1988 (c.50)*
- 16 *Local Government and Housing Act 1989 (c.42)*
- 17 *Social Security Administration Act 1992 (c.5)*
- 18 *Taxation of Chargeable Gains Act 1992 (c.12)*
- 19 *Local Government Finance Act 1992 (c.14)*
- 20 *Leasehold Reform, Housing and Urban Development Act 1993 (c.28)*
- 21 *Local Government etc. (Scotland) Act 1994 (c.39)*
- 22 *Requirements of Writing (Scotland) Act 1995 (c.7)*
- 23 *Children (Scotland) Act 1995 (c.36)*
- 24 *Housing Act 1996 (c.52)*
- 25 *Planning (Consequential Provisions) (Scotland) Act 1997 (c.11)*
- 26 *Data Protection Act 1998 (c.29)*
- 27 *Crime and Disorder Act 1998 (c.37)*
- 28 *Public Finance and Accountability (Scotland) Act 2000 (asp 1)*
- 29 *Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)*

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