

Status: Point in time view as at 23/02/2012.

Changes to legislation: Housing (Scotland) Act 2001, SCHEDULE 6 is up to date with all changes known to be in force on or before 06 September 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)

SCHEDULE 6

(introduced by section 34)

GROUND FOR GRANTING SHORT SCOTTISH SECURE TENANCY

Commencement Information

- II** Sch. 6 wholly in force at 30.9.2002, see s. 113(1)(2) and [S.S.I. 2002/321](#), **art. 2**, Sch. (subject to transitional provisions and savings in [arts. 3-5](#))

Previous anti-social behaviour

- 1 An order for recovery of possession has, within the period of 3 years preceding the date of service of the notice, been made against the prospective tenant (or any one of prospective joint tenants) in proceedings—
- (a) under the Housing (Northern Ireland) Order 1983 (S.I.1983/1118) on ground 2 of Schedule 3,
 - (b) under the Housing Act 1985 (c.68), on ground 2 of Schedule 2,
 - (c) under the 1987 Act, on a ground set out in paragraph 2 or 7 of Schedule 3,
 - (d) under the 1988 Act, on ground 15 of Schedule 5,
 - (e) under the Housing Act 1988 (c.50), on ground 14 of Schedule 2,
 - (f) under this Act on a ground set out in paragraph 2 or 7 of schedule 2.

Anti-social behaviour order

- 2 The prospective tenant (or any one of prospective joint tenants) or a person who it is proposed will reside with the prospective tenant is subject to an ^{F1}antisocial behaviour order—
- (a) under section 234AA of the Criminal Procedure (Scotland) Act 1995 (c. 46); or
 - (b) under section 4 of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)].

Textual Amendments

- F1** Words in sch. 6 para. 2 substituted (28.10.2004) by [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), s. 145(2), **sch. 4 para. 6(3)**; [S.S.I. 2004/420](#), art. 3, sch. 1

Temporary letting to person seeking accommodation

- 3 The house is to be let expressly on a temporary basis to a person moving into the area in order to take up employment there, and for the purpose of enabling that person to seek accommodation in the area.

Temporary letting pending development

- 4 (1) The house is to be let to a person expressly on a temporary basis, pending development affecting the house.
- (2) In sub-paragraph (1), “development” has the same meaning as in section 26 of the Town and Country Planning (Scotland) Act 1997 (c.8).

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Accommodation for homeless persons

- 5 The house is to be let to a person expressly on a temporary basis, for a period of not less than 6 months, in fulfilment of a duty imposed on a local authority by Part II (homeless persons) of the 1987 Act.

Accommodation for person requiring housing support services

- 6 The house is to be let expressly on a temporary basis to a person requiring or in receipt of housing support services.

Accommodation in property not owned by landlord

- 7 The house to be let is leased by the landlord from another body and the terms of the lease preclude the letting of the house by the landlord under a Scottish secure tenancy.

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