

CORONAVIRUS (SCOTLAND) (NO.2) ACT 2020

EXPLANATORY NOTES

DETAIL ABOUT PROVISIONS

Schedule 1: Protection of the individual

Tenancies: pre-action requirements for order for possession or eviction order on ground of rent arrears

27. Paragraph 4 gives Scottish Ministers a regulation making power (affirmative) to introduce private landlord pre-action requirements that should be complied with when seeking to end an assured or short assured tenancy due to rent arrears where all, or part of the arrears, are a result of the impact of the Covid-19 pandemic and ensures that the First-tier Tribunal for Scotland (Housing and Property Chamber) take account of the extent to which a landlord has complied with the pre-action requirements provided for by regulations in deciding whether it is reasonable to grant an eviction order in relation to assured and short assured tenancies.
28. Paragraph 5 gives Scottish Ministers a regulation making power (affirmative) to introduce private landlord pre-action requirements that should be complied with when seeking to end a private residential tenancy due to rent arrears where all, or part of the arrears, are a result of the impact of the Covid-19 pandemic and ensures that the First-tier Tribunal for Scotland (Housing and Property Chamber) take account of the extent to which a landlord has complied with the pre-action requirements provided for by regulation in deciding whether it is reasonable to grant an eviction order in relation to a private residential tenancy.