



Housing (Scotland) Act 2001

2001 asp 10

PART 2

TENANTS OF SOCIAL LANDLORDS

CHAPTER 1

SCOTTISH SECURE TENANCIES

Tenancy agreement and information

23 Tenant's right to written tenancy agreement and information

- (1) The landlord under a Scottish secure tenancy must—
 - (a) draw up a tenancy agreement stating (expressly or by reference) the terms of the tenancy,
 - (b) ensure that it is, before the commencement of the tenancy, subscribed by the landlord and the tenant in accordance with the Requirements of Writing (Scotland) Act 1995 (c.7), and
 - (c) supply a copy to the tenant.
- (2) The tenant is not liable for any fees in respect of anything done under subsection (1).
- (3) The Scottish Ministers may issue guidance as to the form and content of a tenancy agreement; and such guidance may include, in particular, a model tenancy agreement.
- (4) Before the creation of a Scottish secure tenancy the landlord must provide the tenant with information about—
 - (a) the tenant's right under Part III of the 1987 Act to purchase the house which is the subject of the tenancy, and
 - (b) the obligations which the tenant is likely to incur if that right is exercised, including any obligation to maintain any building of which the house forms part and any common areas.
- (5) Where the tenant's right under that Part to purchase the house is affected by any amendment to that Part or the exercise of any power conferred by that Part, the landlord

Status: Point in time view as at 25/06/2003.

Changes to legislation: Housing (Scotland) Act 2001, Cross Heading: Tenancy agreement and information is up to date with all changes known to be in force on or before 14 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)

must inform the tenant of that fact and of the extent to which the tenant's right to purchase is affected.

- (6) The landlord under a Scottish secure tenancy must provide the tenant with information about its complaints procedure and must, if the tenant so requests, provide the tenant with information about—
- (a) the terms of the tenancy,
 - (b) the landlord's policy and procedure in relation to setting of rent and charges,
 - (c) the landlord's policy and rules in relation to—
 - (i) admission of applicants to any housing list,
 - (ii) priority of allocation of houses,
 - (iii) transfers of tenants between houses owned by the landlord,
 - (iv) exchanges of houses owned by the landlord with houses owned by other bodies,
 - (v) repairs and maintenance,
 - (d) the application of Part III of the 1987 Act to the tenant, the tenancy and the house,
 - (e) the obligations which the tenant is likely to incur if the tenant's right under that Part to purchase the house is exercised, including any obligation to maintain any building of which the house forms part and any common areas,
 - (f) where the landlord is a local authority landlord or a registered social landlord, the landlord's tenant participation strategy,
 - (g) the landlord's arrangements for taking decisions in the exercise of its functions in relation to the management of housing accommodation and the provision of related services by it.

Commencement Information

- II** S. 23 wholly in force at 30.9.2002, see s. 113(1)(2) and S.S.I. 2002/321, art. 2 (subject to transitional provisions and savings in arts. 3-5)

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