



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 4

TENANCIES

Removal of mandatory eviction grounds

44 Assured tenancies: discretionary eviction grounds

- (1) The Housing (Scotland) Act 1988 is modified as follows.
- (2) In section 18 (orders for possession)—
 - (a) subsections (3) and (3A) are repealed,
 - (b) in subsection (4), for “Part II” substitute “Part I or II”,
 - (c) in subsection (6)(a), the words “or Ground 8” are repealed,
 - (d) in subsection (8), for “subsections (3A) and (4A)” substitute “subsection (4A)”.
- (3) In section 19 (notice of proceedings for possession), subsection (5) is repealed.
- (4) In section 20 (extended discretion of First-tier Tribunal in possession claims)—
 - (a) in subsection (1), for “Subject to subsection (6) below, the” substitute “The”,
 - (b) subsection (6) is repealed.
- (5) In section 33(1) (recovery of possession on termination of a short assured tenancy)—
 - (a) in the opening words, for “shall” substitute “may”,
 - (b) after paragraph (b), the word “and” is repealed,
 - (c) after paragraph (d) insert “, and
 - “(e) that it is reasonable to make an order for possession.”.
- (6) In schedule 5 (grounds for possession of houses let on assured tenancies)—
 - (a) in Part I, Ground 8 is repealed,

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Section 44. (See end of Document for details)

- (b) the heading of Part I becomes “Certain grounds on which First-tier Tribunal may order possession”,
- (c) the heading of Part II becomes “Further grounds on which First-tier Tribunal may order possession”.

Commencement Information

II [S. 44](#) in force at 1.10.2022, see [s. 59\(1\)](#)

Changes to legislation:

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