

SCHEDULES

SCHEDULE 5

Section 9.

FORM OF NOTICE PRESCRIBED UNDER SECTION 9

“NOTICE

under subsection (1) of section 9 of the Land Tenure Reform (Scotland) Act 1974 (consequences of use as dwelling-house of property subject to long lease, etc.)

To Terminate Use as or as part of Private Dwelling-House of
Property subject to [Lease]
[Liferent]
[Right of Occupancy]
[Address of person sending notice, and Date]
To [name and address of addressee]

You are required to terminate the use as or as part of a private dwelling-house of [give sufficient identification of the property by reference to the lease, etc. or otherwise: if the notice relates to the use of part only of the property subject to the lease, etc., the identification should be a particular description or a description by reference of that part, in terms of section 9(5) of this Act] within 28 days from the date of this notice, under pain of action of removing in terms of section 9 of the Land Tenure Reform (Scotland) Act 1974.

(Signed) AB.
or CD,
Agent for AB.

Note to be appended to Notice

The reason for giving this notice is contravention of the condition contained in subsection (1) of section 8 of the Land Tenure Reform (Scotland) Act 1974 (property let under long lease, etc. not to be used as private dwelling-house).

Without prejudice to any other rights, obligations or defences which you may have under section 8, 9 or 10 of the said Act or otherwise, your attention is directed to the following provisions of the Act:—

Section 9(3):
[Here quote the subsection verbatim]

Section 9(4):
[Here quote the subsection verbatim]

Section 10(3):
[Here quote the subsection verbatim]

If you are in doubt about your position in law you should obtain legal advice promptly.