



Rent (Scotland) Act 1984

1984 CHAPTER 58

PART II

SECURITY OF TENURE

13 Effect of tenancy being short tenancy

- (1) At the expiry of the period of a short tenancy as specified in the tenancy agreement, the landlord shall, subject to section 14 below, be entitled to recover possession of the dwelling-house.
- (2) The tenant under a short tenancy may terminate it by giving to the landlord—
 - (a) where the period of the tenancy specified in the tenancy agreement is two years or less, one month's notice ;
 - (b) in any other case, three months' notice.
- (3) Notwithstanding anything contained in any enactment or rule of law, but subject to subsection (5) below, a landlord under a short tenancy who becomes entitled to recover possession of the dwelling-house which is the subject of the short tenancy shall be entitled to enforce his right to recover possession against any assignee or sub-tenant or against any statutory tenant who has succeeded to the tenancy.
- (4) Notwithstanding anything contained in the tenancy agreement, a tenant under a short tenancy shall not be liable to pay to the landlord on termination of the tenancy any sum greater than the outstanding rent (if any) together with any sum due by the tenant to the landlord in respect of damage to the dwelling-house or its contents or in respect of any household accounts incurred by the tenant for which the landlord is or has become responsible.
- (5)
 - (a) Where a short tenancy is terminated by the death of the tenant before the expiry of the period specified in the tenancy agreement any statutory tenant by succession within the meaning of Schedule 1 to this Act shall be entitled to retain possession of the premises until the expiry of that period only.
 - (b) Where a short tenancy is terminated for any reason before the expiry of the period specified in the tenancy agreement, any subtenant of the dwelling-

Status: This is the original version (as it was originally enacted).

house shall be entitled to retain possession of the premises until the expiry of that period only.

- (6) For the purposes of subsection (5) above " subtenant" means any person deriving title from the original tenant or from a subtenant, provided that his title has not been granted in contravention of the tenancy agreement.