



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART III

RIGHTS OF PUBLIC SECTOR TENANTS

Houses provided for special purposes

69 Secretary of State's power to authorise refusal to sell certain houses provided for persons of pensionable age.

- (1) This section applies to a house which has facilities which are substantially different from those of an ordinary house and which has been designed or adapted for occupation by a person of pensionable age whose special needs require accommodation of the kind provided by the house.

[^{F1}(1A) This section applies only to houses first let on a secure tenancy before 1st January 1990.]

- (2) Where an application to purchase a house is served on a landlord and it appears to the landlord that—
- (a) the house is one to which this section applies; and
 - (b) the tenant would, apart from this section, have a right under section 61 to purchase the house,

the landlord may, within one month after service of the application to purchase, instead of serving an offer to sell on the tenant, make an application to the Secretary of State under this section.

- (3) An application under subsection (2) shall specify the facilities and features of design or adaptation which in the view of the landlord cause the house to be a house to which this section applies.
- (4) Where the Secretary of State has received an application under this section and it appears to him that the house concerned is one to which this section applies, he shall authorise the landlord to serve on the tenant a notice of refusal under this section,

Status: Point in time view as at 01/02/1991.

Changes to legislation: Housing (Scotland) Act 1987, Cross Heading: Houses provided for special purposes is up to date with all changes known to be in force on or before 31 July 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)

which shall be served as soon as is practicable after the authority is given and in any event within one month thereafter.

- (5) A notice of refusal served under subsection (4) shall specify the facilities and features specified for the purposes of subsection (3) and that the Secretary of State's authority for service of the said notice has been given.
- (6) Where the Secretary of State refuses an application made under subsection (2), the landlord shall serve on the tenant an offer to sell under section 63(2)—
 - (a) within the period mentioned in that section; or
 - (b) where the unexpired portion of that period is less than one month or there is not an unexpired portion of that period, within one month of the Secretary of State's refusal.

Textual Amendments

F1 Word substituted by [Local Government and Housing Act 1989 \(c. 42, SIF 61\), s. 178\(1\)\(a\)\(i\)](#)

Modifications etc. (not altering text)

C1 [S. 69](#) modified (13.3.1992) by [S.I. 1992/325, regs. 3, 5, 7, Sch. 1](#)

70 Power to refuse to sell certain houses required for educational purposes.

- (1) Where an application to purchase a house is served on an islands council as landlord and—
 - (a) the house is—
 - (i) held by the council for the purposes of its functions as education authority; and
 - (ii) required for the accommodation of a person who is or will be employed by the council for those purposes;
 - (b) the council is not likely to be able reasonably to provide other suitable accommodation for the person mentioned in paragraph (a)(ii); and
 - (c) the tenant would, apart from this section, have a right under section 61 to purchase the house,

the landlord may, within one month of service of the application to purchase, serve a notice of refusal on the tenant.
- (2) A refusal by the landlord under subsection (1) shall contain sufficient information to demonstrate that the conditions mentioned in paragraphs (a) and (b) of that subsection are fulfilled in relation to the house.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

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