

*These notes relate to the Housing (Scotland) Act 2001  
(asp 10) which received Royal Assent on 18 July 2001*

# HOUSING (SCOTLAND) ACT 2001

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## EXPLANATORY NOTES

### BACKGROUND AND OVERVIEW

#### **Part 2 – Tenants of Social Landlords**

#### *Chapter 1 – Scottish Secure Tenancies*

#### *Section 12: Restriction on termination of tenancy*

28. This section sets out the six ways in which a Scottish secure tenancy may be terminated:
- by a court order for recovery of possession on one of the 15 grounds in *Part 1 of schedule 2* (under section 16(2));
  - where a tenancy has been abandoned (by operation of section 18(2));
  - on the death of a tenant, and subject to the provisions relating to succession (by operation of section 22);
  - on conversion to a short Scottish secure tenancy (by operation of section 35);
  - by written agreement between the landlord and tenant;
  - by 4 weeks' notice given by the tenant to the landlord.
29. *Subsections (2) and (3)* provide security of tenure for a tenant who is being accommodated temporarily in another house while their own house is not available for occupation.