

*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 33: Exchange of house*

57. This section provides a tenant with a right to exchange their house with another tenant, providing that both tenants are Scottish secure tenants and that the landlords of both tenants have given their consent. Such consent may only be refused if there are reasonable grounds to do so; *subsection (3)* sets out examples of what such grounds might be. Those grounds can be modified by order of the Scottish Ministers. *Part 2 of schedule 5* provides, among other things, a right of appeal to the court by a tenant whose landlord refuses consent. Where the landlord is a registered social landlord which is a co-operative housing association any consent is subject to the condition that the tenant of the other house is a member of the association when the exchange takes effect.