

*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 19: Tenant's recourse to court*

38. This section gives a Scottish secure tenant whose house has been repossessed in accordance with the abandonment procedures in sections 17 and 18 a right of appeal to the court. Where the court finds that the landlord acted wrongly or unreasonably it must order the tenancy to continue or direct the landlord to provide other suitable accommodation (as defined in *Part 2 of schedule 2*). *Subsection (4)* enables the court to make further orders in relation to cases where a tenant has successfully challenged an abandonment order, for example to instruct a landlord to forego rent due for the period of apparent abandonment.