



# Housing (Scotland) Act 2001

## 2001 asp 10

### PART 2

#### TENANTS OF SOCIAL LANDLORDS

#### CHAPTER 1

#### SCOTTISH SECURE TENANCIES

##### *Miscellaneous and general*

### **38 Appeals**

- (1) A person who is aggrieved by a decision of a landlord mentioned in section 11(1)(b) to make a house available to the person for occupancy on the basis of—
  - (a) an occupancy agreement instead of a Scottish secure tenancy or a short Scottish secure tenancy,
  - (b) a tenancy which is not a Scottish secure tenancy or a short Scottish secure tenancy, or
  - (c) a short Scottish secure tenancy instead of a Scottish secure tenancy,may raise proceedings by summary application.
- (2) In such proceedings the court may, if it considers that there are good grounds for doing so, order the landlord to let the house to the person under a Scottish secure tenancy or, as the case may be, a short Scottish secure tenancy.