

HOMELESSNESS ETC. (SCOTLAND) ACT 2003

EXPLANATORY NOTES

INTENTIONAL HOMELESSNESS

Section 6: Intentionally homeless persons: short Scottish secure tenancies

13. This section makes provision for the changed duties to an applicant who has a priority need for housing but is also found to be intentionally homeless. *Subsection (1)* modifies the application of paragraph 16 of schedule 2 to the 2001 Act as it relates to the 5A short SST to ensure that where repossession takes place under section 16(2)(b) or (c) of that Act the other suitable accommodation to be provided by the landlord must be accommodation secured by a further 5A short SST.
14. *Subsection (2)* inserts new subsections (7A), (7B) and (7C) into section 34 of the 2001 Act to set out the duties of the local authority, the landlord where that is not the local authority, and the tenant, that attach to the provision of a 5A short SST. Under new subsection (7A), the local authority must provide or ensure the provision of such housing support services as it considers appropriate with a view to enabling the tenancy to convert to a SST. The subsection also places a duty on the landlord to provide information to the authority on the operation of the tenancy and support services provided. Under new subsection (7C), the local authority, landlord and tenant must periodically review the tenant's compliance with the tenancy obligations and the obligations in relation to housing support services which will be set out in the tenancy agreement (new subsection (7B)). *Subsection (3)* gives Ministers powers to issue guidance on support services to be provided and on the procedures to be taken on review and any action to be taken. *Subsection (4)* provides for the automatic conversion of a 5A short SST to a SST after 12 months if the landlord has not served a notice for repossession.