



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 13

#### SOCIAL LANDLORDS AND RURAL HOUSING BODIES: LONG LEASES AND HERITABLE SECURITIES

#### **138 Residential restriction on a long lease**

In section 8 of the Land Tenure Reform (Scotland) Act 1974 (c.38), after subsection (3) insert—

- “(3A) The condition contained in subsection (1) above does not apply to a long lease executed after the commencement of section 138 of the Housing (Scotland) Act 2010 (asp 17) where at the time the lease is executed the lessee is—
- (a) a social landlord (within the meaning of section 165 of the Housing (Scotland) Act 2010);
  - (b) a body connected to a social landlord (within the meaning of section 164 of the Housing (Scotland) Act 2010); or
  - (c) a rural housing body (within the meaning of section 122(1) of the Title Conditions (Scotland) Act 2003).”.

#### **139 Heritable security redemption right**

In section 11 of the Land Tenure Reform (Scotland) Act 1974, after subsection (3) insert—

- “(3A) The right to redeem a heritable security conferred by this section does not apply to a heritable security where—
- (a) the debtor (or where the debtor is not the proprietor, the proprietor of the security subjects) has in writing renounced the right to redeem conferred by this section; and
  - (b) at the time of doing so that body is—
    - (i) a social landlord (within the meaning of section 165 of the Housing (Scotland) Act 2010);
    - (ii) a body connected to a social landlord (within the meaning of section 164 of the Housing (Scotland) Act 2010); or

*Status: This is the original version (as it was originally enacted).*

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(iii) a rural housing body (within the meaning of section 122(1) of the Title Conditions (Scotland) Act 2003).”.