



Housing (Scotland) Act 2010

2010 asp 17

PART 10

SPECIAL PROCEDURE FOR DISPOSALS AND RESTRUCTURING RESULTING IN CHANGE OF LANDLORD

CHAPTER 1

DISPOSALS BY A REGISTERED SOCIAL LANDLORD

120 **Unaffected tenants**

- (1) In this section, “unaffected tenant” means a tenant of a house included in a proposed disposal of land who the registered social landlord expects to have vacated the house before the disposal is made.
- (2) The registered social landlord—
 - (a) need not give notice (or further notice) under section 115 to an unaffected tenant, and
 - (b) may exclude an unaffected tenant from any ballot conducted under section 118, and
 - (c) where directed to seek the written agreement of tenants under section 119, need not seek the agreement of an unaffected tenant.
- (3) But, where a registered social landlord does not give such a notice or so excludes a tenant from the ballot or does not seek the tenant’s written consent, the Regulator must not decide whether to give approval under section 121 unless the registered social landlord has served notice on the Regulator confirming that the tenants concerned have all vacated the houses concerned.