



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 11

#### CHANGE OF LANDLORD: SECURE TENANTS

#### 127 Eligible houses

- (1) An eligible house is a house (other than an exempt house) which is—
  - (a) owned by a local authority landlord, and
  - (b) occupied by a qualifying tenant.
- (2) A “qualifying tenant” is a tenant under a Scottish secure tenancy (other than a tenancy in respect of which an order for recovery of possession has been granted under section 16(2) of the Housing (Scotland) Act 2001 (asp 10)).
- (3) An exempt house is a house—
  - (a) which is one of a group which has been provided with facilities (including a call system and the services of a warden) specially designed or adapted for the needs of persons of pensionable age or disabled persons,
  - (b) which has facilities which are substantially different from those of an ordinary house and has been designed or adapted for occupation by a person of pensionable age or a disabled person whose special needs require accommodation of the kind provided by the house, or
  - (c) which falls within subsection (4).
- (4) A house falls within this subsection if—
  - (a) it is held by Orkney Islands Council, Shetland Islands Council or Comhairle nan Eilean Siar for the purposes of its functions as an education authority and is required for the accommodation of a person who is or will be employed by the council for those purposes, and
  - (b) the council concerned is not likely to be able reasonably to provide other suitable accommodation for that person.