



Housing (Scotland) Act 2010

2010 asp 17

PART 14

RIGHT TO BUY: REFORMS

141 Limitation on right to buy: new tenants

After section 61 of the Housing (Scotland) Act 1987 (c.26) insert—

“61ZA Limitation on right to purchase: new tenants

- (1) Section 61 applies to a house let under a Scottish secure tenancy created on or after the day on which section 141 of the Housing (Scotland) Act 2010 (asp 17) comes into force only if the tenant has, since that day, continuously been in occupation of a house (including accommodation provided as mentioned in section 61(11)(ab), (ac) or (n)) or of a succession of houses provided by any persons mentioned in section 61(11).
- (2) For the purpose of determining such a period of continuous occupation—
 - (a) there shall be disregarded any period beginning with the termination of a tenancy (or of the tenant’s interest in a tenancy) under section 18(2), 20(3) or 22(3) of the Housing (Scotland) Act 2001 (asp 10) and ending with the tenant being re-accommodated in pursuance of section 19(3)(b), 21(3)(b) or 22(6) of that Act; and
 - (b) the landlord may disregard any interruption in occupation which appears to it to result from circumstances outwith the control of the tenant in question.”.