# 2016 No. 339

# TRIBUNALS AND INQUIRIES

## The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2016

### CORRECTION

Page 79, Form AT6, Part 2, "NOTE 2 TO TENANT.": "A FULL LIST OF THE 17 GROUNDS FOR POSSESSION IN SCHEDULE 5 TO THE HOUSING (SCOTLAND) ACT 1988" should read "A FULL LIST OF 17 GROUNDS FOR POSSESSION IS IN SCHEDULE 5 TO THE HOUSING (SCOTLAND) ACT 1988";

Page 80, Form AT6, Part 4: "…Section 19 of the Housing (Scotland) Act 1988)?" should read "…Section 19 of the Housing (Scotland) Act 1988)";

Page 80, Form AT6, Part 4, "NOTE 6 TO TENANT.": the note should read:

**REMEMBER BEFORE YOU MUST LEAVE YOUR HOME, YOUR LANDLORD MUST HAVE DONE 3 THINGS:**

**1. SERVED ON YOU A NOTICE TO QUIT (NOTE CAREFULLY THAT THIS MAY HAVE BEEN SERVED AT AN EARLIER STAGE IN THE TENANCY TO CHANGE THE TENANCY FROM A CONTRACTUAL TO A STATUTORY ASSURED TENANCY); AND**

**2. SERVED ON YOU AN AT6 (THIS NOTICE); AND**

**3. OBTAINED A COURT ORDER.**

Page 80, Form AT6, Part 4: the heading "NOTE 7 TENANT." should read "NOTE 7 TO TENANT.".

*Corrected versions of the relevant extracts of these forms are attached for reference in the Annex to this correction slip.*

*January 2017*

Corrected version of Part 2 of Form AT6 which appears on page 79 of S.S.I. 2016/339

**Part 2**        I/we [on behalf of]* your landlord(s)

………………………………………………………………………………………..

                                                                                    (name(s) of landlord(s))

of ……………………………………………………………………………..

…………………………………………………………………………………...

…………………………………………………………………………………...

                                             (address and telephone number of landlord(s)

inform you that I/we* intend to raise proceedings for possession of the house
at the address in part 1 above on the following ground/grounds* being a
ground/grounds* for possession as set out in Schedule 5 to the Housing
(Scotland) Act 1988.

……………………………………………………………………………………

……………………………………………………………………………………

……………………………………………………………………………………

                                             (Give the ground number(s) and fully state
                                             ground(s) as set out in Schedule 5 to the
                                             Housing (Scotland) Act 1988: continue on additional
                                             sheets of paper if required)

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NOTE 2 TO TENANT.

A FULL LIST OF 17 GROUNDS FOR POSSESSION IS IN SCHEDULE 5 TO THE
HOUSING (SCOTLAND) ACT 1988

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**Part 3.**        I/we also inform you that I/we are seeking possession under the      above
ground/grounds* for the following reasons:-

……………………………………………………………………………..

……………………………………………………………………………..

……………………………………………………………………………..

……………………………………………………………………………..

                                             (State particulars of how you believe the ground(s) have arisen:
                                             continue on additional sheets of paper if required)

* delete as appropriate

Corrected version of Part 4 of Form AT6 which appears on page 80 of S.S.I. 2016/339

NOTE 3 TO TENANT.

YOUR LANDLORD MUST GIVE YOU PROPER NOTICE BETWEEN SERVING THIS NOTICE AND RAISING COURT PROCEEDINGS. IF ANY OF GROUNDS 1, 2, 5, 6, 7, 9 AND 17 APPLY, WITH OR WITHOUT OTHER GROUNDS, 2 MONTHS NOTICE MUST BE GIVEN. YOUR LANDLORD MUST ALSO GIVE YOU 2 MONTHS NOTICE IF YOUR TENANCY IS A SHORT ASSURED TENANCY AND YOUR LANDLORD IS SEEKING REPOSSESSION ON THE GROUND THAT THE TENANCY PERIOD HAS EXPIRED. IF ONLY OTHER GROUNDS APPLY, ONLY 2 WEEKS NOTICE NEED BE GIVEN.

**Part 4.**    Proceedings will not be raised before ............... (date) (which is the earliest date at which proceedings can be raised under Section 19 of the Housing (Scotland) Act 1988)

Signed ........................................ (Landlord(s) or Landlord's agent)

Date ...........................................

\* delete as appropriate

NOTE 4 TO TENANT.
IF YOUR LANDLORD DOES NOT RAISE COURT PROCEEDINGS THIS NOTICE AT6 WILL CEASE TO HAVE EFFECT 6 MONTHS AFTER THE EARLIEST DATE ON WHICH COURT PROCEEDINGS COULD HAVE BEEN RAISED (SEE PART 4 OF THE NOTICE).

NOTE 5 TO TENANT.
IF YOU WANT TO CONTEST YOUR LANDLORD'S INTENTION TO REPOSSESS YOUR HOME, YOU ARE STRONGLY ADVISED TO TAKE LEGAL ADVICE WITHOUT DELAY AND BEFORE THE EXPIRY OF THE TIME LIMIT GIVEN BY THE NOTICE. HELP WITH ALL OR PART OF THE COST OF LEGAL ADVICE MAY BE AVAILABLE UNDER THE LEGAL AID LEGISLATION.

NOTE 6 TO TENANT.
REMEMBER BEFORE YOU MUST LEAVE YOUR HOME, YOUR LANDLORD MUST HAVE DONE 3 THINGS:

1. SERVED ON YOU A NOTICE TO QUIT (NOTE CAREFULLY THAT THIS MAY HAVE BEEN SERVED AT AN EARLIER STAGE IN THE TENANCY TO CHANGE THE TENANCY FROM A CONTRACTUAL TO A STATUTORY ASSURED TENANCY); AND

2. SERVED ON YOU AN AT6 (THIS NOTICE); AND

3. OBTAINED A COURT ORDER.

NOTE 7 TO TENANT.

THIS IS AN IMPORTANT DOCUMENT AND YOU SHOULD KEEP IT IN A SAFE PLACE.