

The Housing (Scotland) Act 2014

... and how
it changes your
**Scottish Tenancy
Rights**



A new law is coming into force which will affect your rights, by bringing about changes to the Scottish Secure Tenancy Agreement (SSTA).

The Housing (Scotland) Act 2014 is making some changes which will come into force on **1 May 2019**, while others come into effect on **1 November 2019**.

For a full copy of the Scottish Government summary, which explains the new law, see the Downloads section of our website at www.almondha.org.uk or pop into our reception at 44 Etive Walk.

But this explains in simple terms what the Act will mean to AHA customers...

Changes to your household

To protect your tenancy rights, you *must* advise us of changes to your household.

This includes anyone who has already moved in or out of your home – or will in the future.

If we are unaware of them, you must inform us.

Write to:

Almond Housing Association Ltd
New Almond House,
44 Etive Walk,
Craigshill,
Livingston EH54 5AB.

Or email us at enquiries@almondha.org.uk



From 1 May 2019...

Adapted Properties

If you live in an adapted home where you do not need the adaptations – and Almond requires the property for someone who does – we can apply to a sheriff to end your tenancy.

We must give notice, and offer suitable alternative accommodation.

You have the right to challenge this, if you feel we acted unreasonably, or the alternative property was unsuitable.

Antisocial Behaviour

We can transfer you to a Short Scottish Secure Tenancy, for any antisocial behaviour. This has fewer rights, and less protection from eviction.

It can be done when a tenant, or someone living with them, has acted in an antisocial manner, or harassed another person, in or around their property within 3 years before notice is served.

If no ASBO has been granted by the court, we must issue a notice detailing the behaviour which led to our decision, and the tenant's right of appeal.

Eviction

We can end a tenancy if a tenant, joint tenant, lodger, or visitor to the property, is convicted of:

- Using it or allowing it to be used for illegal/immoral purposes
- An imprisonable offence, committed in the property, or locality

We would serve notice of our intention to seek recovery of the property.

This would happen within 12 months of the conviction, or of when the appeal process ended (a tenant may challenge a landlord's decision).



From 1 November 2019...

The time period will change for when you are allowed to:

- Sublet your property
- Add a joint tenant
- Pass your tenancy to someone else (Assignment)
- Take over a tenancy after death (Succession)

Our consent as landlord has always been required for the above.

But the tenant and the person receiving the tenancy will now have to have been resident at the property for at least 12 months before any of these actions can occur (previously it was 6 months)

Time spent living in the property will not count if the landlord has not been notified you were there

We can refuse permission to assign a tenancy, for reasons listed under Section 32 of the Housing (Scotland) Act 2001

But the new 2014 Act provides two new reasons why we can turn down an application to pass your tenancy to someone else:

- Where the person being passed the tenancy would not get priority under our Allocations Policy
- Where the home would be under occupied

If you would like to discuss any aspect of these changes in more detail, please contact your Housing Officer, or call **01506 439 291**



Almond Housing Association: 44 Etive Walk, Craigshill, Livingston EH54 5AB

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