

## **CHANGES COMMENCING 1 MAY 2019**

### **Ending a Scottish Secure Tenancy by court order - conviction of a crime / serious antisocial behaviour**

Committing serious antisocial behaviour or certain crimes are a breach of your tenancy agreement and can lead to your eviction.

If you, or anyone living with you in the property or anyone visiting the property, are convicted of using the house or allowing it to be used for immoral or illegal purposes, or of an offence punishable by imprisonment committed in or in the locality of the property, we are entitled to seek a court order to evict you from your home.

Before we start the court action for eviction, we will serve a *Notice of Proceedings* on you. You have a right to challenge that decision.

From 1 May 2019, the Housing (Scotland) Act 2014 will make this process easier by removing the need for the Court to consider whether it is “reasonable” to make an order for eviction where we are using this ground for eviction.

The court will be required to grant the eviction order if we have served the Notice of Proceedings within twelve months of the date of the conviction (or within twelve months of the conclusion of an unsuccessful appeal against the conviction).

### **Adapted properties**

Some properties are designed or adapted to meet the particular needs of a tenant or a person living with the tenant. Sometimes that person moves to a different property or dies.

From 1 May 2019, we will be able to apply to the Court to recover the property if it is not being occupied by anyone who needs the adaptations. We would only do this if we need the property for someone who needs the adaptations. We would give you notice before applying to the court to do this and we would offer you suitable alternative accommodation. You would be able to ask the Court to consider whether our actions were reasonable and challenge the suitability of the alternative accommodation.

### **Conversion to a Short Scottish Secure Tenancy for antisocial behaviour**

In certain circumstances, we can change your tenancy agreement to a different type of tenancy agreement called a Short Scottish Secure Tenancy (SSST) agreement, which gives you fewer rights and less protection from eviction than a Scottish Secure Tenancy (SST).

From 1 May 2019, these circumstances will now include any situation where a tenant or someone living with the tenant has acted in an antisocial manner in or around the property. If we choose to convert your tenancy we will serve a Notice on you which will detail the actions of the person who has behaved in an antisocial manner and our reasons for converting the tenancy.

You will have the right to appeal the conversion to the Sheriff Court.