

**HOUSING (SCOTLAND) ACT 1988
AS AMENDED BY PARAGRAPH 85 OF SCHEDULE 17
TO THE HOUSING ACT 1988**

**NOTICE UNDER SECTION 19 OF INTENTION
TO RAISE PROCEEDINGS FOR POSSESSION**

IMPORTANT: INFORMATION FOR TENANT(S)

This notice informs you as tenant that your landlord intends to apply to the Sheriff for an Order for possession of the house at the address in Part 1, which is currently occupied by you.

Part 1 To.....
(name of tenant(s))
of.....
.....
.....
.....
(address of house)

NOTE 1 TO TENANT.

IF YOU ARE UNCERTAIN ABOUT WHAT THIS MEANS, OR IF YOU ARE IN DOUBT ABOUT ANYTHING IN IT, OR ABOUT ITS VALIDITY OR WHETHER IT IS FILLED IN PROPERLY YOU SHOULD IMMEDIATELY CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS. YOU MAY ALSO FIND IT HELPFUL TO DISCUSS THIS NOTICE WITH YOUR LANDLORD.

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

.....
(name 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 of the Housing (Scotland) Act 1988: continue on additional sheets of paper if required)

NOTE 2 TO TENANT

A FULL LIST OF THE 17 GROUNDS FOR POSSESSION IN SCHEDULE 5 TO THE HOUSING (SCOTLAND) ACT 1988 TOGETHER WITH INFORMATION ON YOUR RIGHTS AS TENANT IS GIVEN IN THE BOOKLET "ASSURED TENANCIES IN SCOTLAND – A GUIDE FOR LANDLORDS AND TENANTS". IT IS AVAILABLE FROM ANY OFFICE OF THE RENT ASSESSMENT COMMITTEE, CITIZENS ADVICE BUREAU, HOUSING ADVISORY CENTRE OR FROM THE RENT REGISTRATION SERVICE.

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

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.