



Housing and Technical Resources

Notice by landlord of proceedings for possession

You can complete this notice by creditor of service of calling-up notice/notice of default, or application, or proceedings form in Adobe Acrobat. Return the form by email to homelessness.strategy@southlanarkshire.gov.uk If you need this information in another language or format, please contact us to discuss how we can best meet your needs. Phone 0303 123 1015 or email equalities@southlanarkshire.gov.uk

Using your personal information

We will use the information you give us to administer South Lanarkshire Councils response to Section 11 of the Homelessness etc. (Scotland) Act 2003.

Your rights

You have the right to ask us to:

- tell you that we are using personal information about you, tell you what that information is and who we have shared it with. You can also ask us for a copy of the information we have about you. This is called the right of access.
- correct any wrong or misleading personal information that we have about you. This is called the right to rectification.
- stop using any or all of your personal information. This is called right to object.
- delete or destroy your personal information under certain circumstances. This is called the right to erasure.
- Stop using your personal information until we can correct your personal information, give you our reasons for using your personal information or stop us deleting your personal data if you need it in connection with any legal claims. This is called the right of restriction.
- Pass your personal information to someone else under certain circumstances. This is called the right to data portability.

For more information on how we use and handle your information and rights and how to exercise them or how to make a complaint you can ask for a copy of the Councils explanation from our Data Protection officer by emailing dp@southlanarkshire.gov.uk or see www.southlanarkshire.gov.uk/privacy

Note to landlord

Various statutes require notice to be given to a local authority where a landlord has raised proceedings for possession of a house. This form lists in a table some of the legislation under which such proceedings might be raised for possession of a house.

“Proceedings for possession” means any proceedings in which a decree of removing or warrant of ejection or other like order is sought.

Take note that proceedings have been raised as detailed below.

Please give the following information.

Name of landlord who has raised proceedings

Address of landlord who has raised proceedings

Name of landlord's legal representatives

Address of landlord's legal representatives

Contact telephone number of landlord

Landlord registration reference

Name of tenant(s) against whom proceedings have been raised

Full postal address of property that is the subject of proceedings

Start date of tenancy

Date of raising of proceedings

Court in which proceedings raised

The legislation under which proceedings are being notified: (Please tick the box below, which describes the proceedings you have raised).

- (1) Section 12A(1) (notice to local authority of proceedings for possession of dwellinghouse let on protected tenancy or subject to statutory tenancy) of the Rent (Scotland) Act 1984 (c. 58) (tick this box if you have raised proceedings to recover possession of a dwellinghouse let on a protected tenancy or subject to a statutory tenancy)
- (2) Section 19A(1) (notice to local authority of proceedings for possession of house let on assured tenancy) of the Housing (Scotland) Act 1988 (c. 43) (tick this box if you have raised proceedings to recover possession of a dwellinghouse let on an assured tenancy).
- (3) Section 14(5A) (notice to local authority of proceedings for possession of house let on Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) (tick this box if you have raised proceedings to recover possession of a dwellinghouse let on a Scottish secure tenancy).
- (4) Section 36(6A) (notice to local authority of proceedings for possession of house let short Scottish secure tenancy) of the Housing (Scotland) Act 2001 (asp 10) (tick this box if you have raised proceedings to recover possession of a dwellinghouse let on a short Scottish secure tenancy).
- (4A) Section 56(1) (restriction on applying without notifying local authority) of the Private Housing (Tenancies) (Scotland) Act 2016 (asp 19) (tick this box if you have applied to the First-tier Tribunal for Scotland for an eviction order in relation to a property let on a private residential tenancy).
- (5) Other proceedings for possession of a dwellinghouse, (tick this box if you have raised proceedings to recover possession of a dwellinghouse and none of the above boxes are appropriate. For these purposes a dwellinghouse is any building or part of a building, which is occupied or intended to be occupied as a separate dwelling, and in particular includes a flat).