

**FORM AT 7: FOR USE ONLY BY A LANDLORD**

**ASSURED TENANCIES**

**AT 7**

**HOUSING (SCOTLAND) ACT 1988**

**NOTICE UNDER SECTION 32(4) THAT A NEW OR CONTINUING  
TENANCY IS NOT TO BE A SHORT ASSURED TENANCY**

**IMPORTANT: INFORMATION FOR TENANTS**

**This notice informs you as tenant that your landlord is proposing to offer you a new tenancy which is not a short assured tenancy, or to continue your existing tenancy, as an assured tenancy, not as a short assured tenancy. Please read this notice carefully.**

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

**NOTE 1 TO TENANT.**  
**YOU SHOULD NOTE THAT THIS NOTICE SERVED BY YOUR LANDLORD CHANGES YOUR TENANCY FROM A SHORT ASSURED TENANCY TO AN ASSURED TENANCY. PLEASE READ THIS NOTICE CAREFULLY. IF YOU ARE IN DOUBT ABOUT WHAT IT MEANS, YOU MAY WISH TO DISCUSS THE NOTICE WITH YOUR LANDLORD OR CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS.**

**Part 2.** I/We\* [on behalf of]\* your landlord(s)  
.....  
(name of landlord(s))  
of .....  
.....  
.....  
(address and telephone number of landlord(s))

Give notice that:-

\* [Your tenancy of the house at the address in Part 1 is to continue with its current terms and conditions but that as from .....(date) it will no longer be a short assured tenancy].

\* [Your new tenancy of the house at the address in Part 1 which takes effect from .....(date) will not be a short assured tenancy].

Notice AT5 which informed you that your original tenancy was a short assured, and which was served on you on .....(date of service of notice AT5) no longer applies.

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

Date .....

\* delete as appropriate

**NOTE 2 TO TENANT.**

**YOUR LANDLORD MUST SERVE THIS NOTICE ON YOU BEFORE THE BEGINNING OF THE NEW TENANCY OR BEFORE THE EXISTING TENANCY'S EXPIRY DATE IF IT IS TO CONTINUE. IF HE DOES NOT, THE NOTICE HAS NO EFFECT.**

**NOTE 3 TO TENANT.**

**AS A TENANT OF AN ASSURED TENANCY (RATHER THAN OF A SHORT ASSURED TENANCY) YOUR RIGHTS TO MAKE AN APPLICATION TO A PRIVATE RENTED HOUSING COMMITTEE FOR A DETERMINATION OF YOUR RENT WILL CHANGE. A TENANT OF AN ASSURED TENANCY CAN REFER TO THE PRIVATE RENTED HOUSING COMMITTEE A RENT INCREASE PROPOSED BY THE LANDLORD ONLY IN CERTAIN CIRCUMSTANCES. FURTHER INFORMATION ABOUT THIS IS AVAILABLE IN "ASSURED TENANCIES IN SCOTLAND – A GUIDE FOR LANDLORDS AND TENANTS".**

**NOTE 4 TO TENANT.**

**IN AN ASSURED TENANCY YOUR LANDLORD CANNOT REPOSSESS YOUR HOME SOLELY BECAUSE THE EXPIRY DATE IN THE TENANCY AGREEMENT HAS BEEN REACHED BUT OTHERWISE THE SECURITY OF TENURE OF AN ASSURED TENANT IS THE SAME AS THAT OF A TENANT WITH A SHORT ASSURED TENANCY.**

**NOTE 5 TO TENANT.**

**YOU SHOULD RETAIN THIS NOTICE AND KEEP IT IN A SAFE PLACE ALONG WITH THE WRITTEN DOCUMENT PROVIDED BY YOUR LANDLORD SETTING OUT THE TERMS OF YOUR TENANCY.**

## ASSURED TENANCIES

### HOUSING (SCOTLAND) ACT 1988

**NOTES FOR LANDLORDS - TO BE READ WITH NOTICE AT7. THESE NOTES ARE FOR GUIDANCE ONLY AND ARE NOT A DEFINITIVE INTERPRETATION OF THE LAW.**

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#### WHEN TO USE THIS FORM

1. As a landlord of a short assured tenancy which is nearing its expiry date you can choose to do one of 3 things.

(a) you can decide to terminate the tenancy by issuing a Notice to Quit and if your tenant does not leave voluntarily, you can serve on your tenant a Notice of your intention to raise court proceedings to repossess the house let under the tenancy (a Notice AT6); or

(b) you can decide to let the tenancy run on. This will happen if you do not give your tenant a Notice to Quit. A tenancy which runs on in this way does so under common law and continues with the same terms and for a further period equal to the length of the original tenancy or 1 year, whichever is the less; or

(c)

(i) you can offer your tenant a new tenancy which is not a short assured tenancy for the same house; or

(ii) you can allow the tenancy to continue but as an assured tenancy rather than a short assured tenancy. **If you choose either (c) (i) or (c)(ii) you should use Notice AT7 to inform the tenant of your intention.**

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#### HOW TO COMPLETE THIS NOTICE

2. If you want to change the tenancy from a short assured tenancy to an assured tenancy you must serve Notice AT7 before the beginning of the new tenancy or before the existing tenancy's expiry date if it is to continue.

3. Complete parts 1 and 2 and Sign the Notice in the space provided. Your tenant will retain the original Notice with the written document setting out the terms of the tenancy, and which you must give to the tenant under section 30 of the Housing (Scotland) Act 1988. You should retain a copy of Notice AT7

4. You should note that a notice can be served validly on your tenant only in one of 3 ways:

a. by delivering it to him;

b. by leaving it at his last known address; or

c. by sending it by recorded delivery letter to him at that address.

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## **DIFFERENCES BETWEEN ASSURED AND SHORT ASSURED TENANCIES**

5. You should note that there are two main differences between assured and short assured tenancies.
  - a. On rents as an assured tenant your tenant does not have a right to apply to the Private Rented Housing Committee for a rent determination (although in certain limited circumstances he may be able to refer a rent increase which you propose to the Private Rented Housing Committee for a rent determination).
  - b. On security of tenure, as a landlord of an assured tenant you will no longer have the right to repossess your tenant's home solely because the expiry date in the tenancy agreement has been reached. But otherwise the security of tenure of an assured tenant is the same as that of a tenant with a short assured tenancy.

## **FURTHER GUIDANCE**

6. If you are uncertain about the terms of this Notice or how it should be completed, you should consult a solicitor or any organisation which gives advice on housing matters.
7. Further guidance on assured and short assured tenancies is available in "Assured Tenancies in Scotland - A Guide for Landlords and Tenants". Copies - are obtainable, from, any Private Rented Housing Committee, Citizens, Advice Bureau or Housing Advisory Centre or from any office, of the Rent Registration Service.