

# The right to buy

This leaflet aims to give existing and new tenants of Prospect information on how the Housing (Scotland) Act 2001 affects their right to buy their home.



## Can I buy my home?

For the vast majority of Prospect tenants the answer is no.

Although the Housing Act extends the right to buy to tenants of some types of Housing Associations, tenants of Prospect have no right to buy their home.

### Why?

Prospect is registered as a charitable housing organisation. Under the terms of the new Housing Act charitable Housing Associations are exempt from the right to buy.

This means that after 30 September 2002:

- all existing Prospect tenants who previously held assured tenancies

And

- all new Prospect tenants HAVE NO RIGHT TO BUY THEIR HOME

## What tenants do have the right to buy?

A small number of Prospect tenants who, prior to 30 September 2002, held assured tenancies with a 'preserved right to buy'.

Under the new Act they will keep the right to buy the home they currently live in with the same discount entitlement.

These are tenants who transferred to the Housing Association from Council tenancies in Clovenstone as part of the stock transfer.

### So these tenants have the same rights under the new Act?

Yes – but only as long as they remain in their current home. If the tenant transfers to another Prospect house (or to another charitable housing association) the right to buy is lost.

If the tenant was to move to a council property or to a housing association without charitable status, the tenant retains the right to buy but under revised criteria and with different discounts known as the 'modernised right to buy'.

## Are there any other changes?

### Under the new Act, tenants will not be able to exercise their right to buy if:

- they have rent / Council Tax arrears
- if they have been served with a Notice of Proceedings for possession because of breach of tenancy

If you have any queries about the right to buy or your tenancy in general, please do not hesitate to contact the office.

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