Homelessness Etc (Scotland) Act 2003

Section 11 Notice by Creditor

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| **Please select the relevant statement:** |  |
| Take note that a calling up notice/notice of default has been served as detailed below. |  |
| Take note that an application to court has been made as detailed below for a warrant to exercise remedies on default. |  |
| Take note that proceedings to eject a proprietor have been raised as detailed below. |  |

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| **Creditor Details** | |
| Name of Creditor: |  |
| Address of Creditor: |  |
| Postcode: |  |
| Name of Creditors Legal Representative: |  |
| Address of Creditors Legal Representative: |  |
| Contact Number of Creditor: |  |
| Email Address of Creditor: |  |

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| --- | --- |
| **Proprietor/Property Details** | |
| Name of Debtor/Proprietor: |  |
| Full postal address of property referred to in the calling-up notice/notice of default or application or proceedings: |  |

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| **Enforcement Details** | |
| Recording/registration date of the standard security (if applicable): |  |
| Date of calling-up notice/notice of default or application or raising of proceedings: |  |
| Court in which application made or proceedings raised: |  |

Please complete this form and send it via post or email to:

South Ayrshire Council

Housing Options Team

80-88 Kyle Street

Ayr

KA7 1RZ

Email: [HousingOptionsTeam@south-ayrshire.gov.uk](mailto:HousingOptionsTeam@south-ayrshire.gov.uk)

*Note to creditor*

*This form of notice must be used to give notice to a local authority where a creditor has served a calling-up notice or notice of default or has applied to court for a warrant to exercise any of the remedies which can be exercised on default of a standard security, or for a warrant for sale or has raised proceedings to eject a proprietor.*

*A “calling-up notice” is a notice described in section 19 of the Conveyancing and Feudal Reform (Scotland) Act 1970 issued by a creditor in a standard security requiring discharge of the debt secured.*

*A “notice of default” is a notice described in section 21 of the Conveyancing and Feudal Reform (Scotland) Act 1970 issued by a creditor calling on a debtor to remedy a default.*

*The remedies which a creditor is entitled to exercise when a debtor is in default are described in Schedule 3 to the Conveyancing and Feudal Reform (Scotland) Act 1970. In terms of section 24 of that Act a creditor may apply to court for a warrant to exercise those remedies.*

*Proceedings to eject a proprietor are raised under section 5 of the Heritable Securities (Scotland) Act 1894 and must be notified to the local authority by virtue of section 4(4) of the Mortgage Rights (Scotland) Act 2001.*