

Right To Buy in Pressured Areas - Frequently Asked Questions

What is pressured area status?

The purpose of pressured area status is to protect the amount of affordable rented housing in a Council area to make sure that there are enough houses for people who need them. The Housing (Scotland) Act 2001 gave Scottish Ministers the power to grant any part of a local authority area as 'pressured'. This means that the Right to Buy (RTB) is suspended in these areas for new tenants for a period of up to five years.

Which areas were given pressured area status in South Ayrshire?

The following areas were designated for pressured area status in South Ayrshire:

Ayr North

Annpit
Craigie
Heathfield
Newton Green
Woodfield

Ayr South

Ayr Rural
Central
Belmont Old
Belmont South
Forehill/Glencairn/
Holmston
Kincaidston

Annbank

Crosshill
Dunure
Kirkmichael
Maidens
Barr
Barrhill
Colmonell
Pinmore

Prestwick

Eastfield
East Road
Glenburn
Marchburn
Monkton
Moorfield
Mossbank
Prestwick Central
Prestwick Toll

When did pressured area status begin?

Pressured area status began on 24th June 2011.

How long will pressured area status last?

Pressured area status will last for a further five years from 24th June 2011.

I currently live in an area that has been identified as a pressured area. Can I still buy my council house?

Yes. As long as you were living in your current house as the tenant before 30 September 2002, your rights stay the same and you can apply to buy your home.

I currently live in an area that has been identified as a pressured area, but I have only been living there or become the tenant there after 30 September 2002. Can I still buy my council house?

If your tenancy began after 30 September 2002, you will not be able to buy your council house while the area you live in remains pressured. If you become the tenant of a house for the first time after the 1 March 2011, you will probably not have the right to buy the property, whether the area is pressured or not.

I don't currently live in a pressured area, but I am looking for a transfer of tenancy into a pressured area. Will I still be able to buy my council house?

If you transfer into a pressured area, you will not be able to buy your council house while the area you live in remains a pressured area. If you become the tenant of a house for the first time after the 1 March 2011, you will probably not have the right to buy the property, whether the area is pressured or not.

I currently live in a pressured area and I am looking for a transfer of tenancy to a different pressured area. What happens then?

If you currently live in a pressured area, and move to a different pressured area, you will not be able to buy your council house while the area you live in remains a pressured area. If you become the tenant of a house for the first time after the 1 March 2011, you will probably not have the right to buy the property whether the area is pressured or not.

I transferred my tenancy into a pressured area before the area was given pressured area status. Can I buy my council house?

Only if your application to buy your home had been received by the Council before pressured area status began in that area. Once pressured area status was in place you would not be able to buy your home for as long as the area remains pressured. If you become the tenant of a house for the first time after the 1 March 2011, you will probably not have the right to buy the property whether the area is pressured or not.

I have been living in a council house in a pressured area from before 30 September 2002, but I have only recently succeeded to the tenancy. Can I buy my council house?

If you have become a tenant in a pressured area after 30 September 2002 but before the 1st March 2011 through succeeding to the tenancy of your spouse or partner, you will be subject to the modernised right to buy and therefore you will not be able to buy your council house while the area you live in remains a pressured area.

If you become a tenant in a pressured area on or after the 1st March 2011 through succeeding to the tenancy of your spouse or partner, you will not normally have the right to buy your home whether the area is pressured or not.

I am about to apply to become a joint tenant with someone who is currently a tenant in a pressured area. Can we still buy our council house?

Yes. As long as the person whose tenancy you are joining has been living in the house since before 30 September 2002. If both tenancies began after 30 September 2002, but before the 1st March 2011, you will not be able to buy your council house while the area you live in remains a pressured area.

If the tenancy of the person whose tenancy you are joining started on or after the 1st March 2011, and it was the first time that person held a Scottish Secure Tenancy, you will not be able to buy the house whether the area is pressured or not.

If the person whose tenancy you are joining started after 1 March 2011, and they moved to that house from a previous tenancy, you will not normally have the right to buy the house if the house is a new-supply house (a property that has been built since the 25th June 2008).

I am moving into a pressured area through a mutual exchange with another tenant. Can I still buy my council house?

If you move into a pressured area through a mutual exchange, you will not be able to buy your council house while the area you live in remains a pressured area. If you become the tenant of a house for the first time after the 1 March 2011, you will probably not have the right to buy the property whether the area is pressured or not.

I live in a pressured area and I have been assigned the tenancy of the house I am living in. Can I buy my council house?

If you become a tenant after 30 September 2002 but before the 1st March 2011 through Assignation of Tenancy, you will have the modernised right to buy, however, you will not be able to buy your council house while the area you live in remains a pressured area.

If you become a tenant for the first time on or after the 1st March 2011 through Assignation of Tenancy, you will not have the right to buy your home whether the area is pressured or not.

I am on the waiting list/transfer list and have been offered and refused a house in a pressured area. Will this be counted as one of my four offers of housing?

Yes. If you are worried about the areas you have chosen on your housing application form or would like to change any of them as a result of pressured area status you should contact your Area Housing Office, which can give you further advice about your choices.

I live in a tied house in a pressured area. Are my rights affected?

No. If you live in a tied house, you do not have the right to buy your home even if you do not live in a pressured area.

I live in sheltered housing in a pressured area. Are my rights affected?

No. If you live in a sheltered house you do not have the right to buy your home even if you do not live in a pressured area.

If my right to buy my house is suspended for five years due to pressured area status, will I still be able to count this time towards qualifying to buy and building up discount?

Yes. During this time you will not lose out on building up time towards qualifying for RTB and discount, which would be available when pressured area status ends.

I am eligible for RTB and have already applied to buy my house. If pressured area status is granted before the sale has gone through, will I still be able to buy my council house?

Yes. If you meet the legislative criteria to purchase your house through RTB, and your application is being processed before pressured area status is granted, then the sale will be honoured.