**Homelessness (Scotland) Act 2003 Section 11 Notice by Creditor of:**

**Service of Calling Up Notice**

**Application to Court for a Warrant to Exercise Remedies on Default**

**Proceedings to Eject Proprietor**

To: **Fife Council**,

Take note that a calling up notice has been served as detailed below.

**Name and address of the creditor:**

**Name and address of the creditor’s legal representatives:**

Our Ref:

**Contact telephone number of the creditor:**

**Name of debtor/proprietor:**

**Full postal address of property referred to in the notice of default or application or proceedings:**

**Recording/registration date of the standard security (if applicable):**

**Date of notice of default or application or raising of proceedings:**

**Court in which application made or proceedings raised:**

**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.