

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross Heading: Notification of referral. (See end of Document for details)

SCHEDULE 2

[^{F1}THE FIRST-TIER TRIBUNAL]: PROCEDURE ETC.

Textual Amendments

- F1** Words in Sch. 2 heading substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\)](#), reg. 1(2), [sch. 2 para. 6\(20\)\(a\)](#) (with sch. 1)

Notification of referral

- 1 (1) [^{F1}On receipt of a referral of a tenant's application under section 23(1) the First-tier Tribunal] must, as soon as practicable after receiving the reference, serve notice on the landlord and the tenant—
- (a) setting out the detail of the application in such manner as the [^{F2}First-tier Tribunal thinks] fit,
 - [^{F3}(b) stating that the Chamber President has referred the application to be heard by the First-tier Tribunal, and]
 - (c) specifying the day by which any—
 - (i) written representations, or
 - (ii) request to make oral representations,must be made.
- (2) The day so specified—
- (a) must be at least 14 days after the day on which the notice is served, and
 - (b) may, at the request of [^{F4}the landlord or the tenant] , be changed to such later day as the [^{F5}First-tier Tribunal thinks] fit.
- (3) The [^{F6}First-tier Tribunal] must notify [^{F7}the landlord and the tenant] of any change under sub-paragraph (2)(b).
- [^{F8}(4) In the case of an application under section 22(1A), the [^{F9}First-tier Tribunal] must, in addition to carrying out the matters mentioned in sub-paragraphs (1) to (3)—
- (a) serve on the third party applicant a notice containing the matters mentioned in sub-paragraph (1)(a) to (c),
 - (b) if the [^{F9}First-tier Tribunal] thinks fit following a request of the third party applicant, change the day specified for the purposes of sub-paragraph (1)(c),
 - (c) notify—
 - (i) the third party applicant of any change under sub-paragraph (2)(b),
 - (ii) the landlord and the tenant of any change under paragraph (b).]

Textual Amendments

- F1** Words in sch. 2 para. 1(1) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\)](#), reg. 1(2), [sch. 2 para. 6\(20\)\(b\)\(i\)\(aa\)](#), (with sch. 1)
- F2** Words in sch. 2 para. 1(1)(a) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\)](#), reg. 1(2), [sch. 2 para. 6\(20\)\(b\)\(i\)\(bb\)](#), (with sch. 1)

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- F3** Sch. 2 para. 1(1)(b) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Panel) Regulations 2016 (S.S.I. 2016/338), reg. 1(2), **sch. 2 para. 2(18)(a)** (with sch. 1 para. 5)
- F4** Words in sch. 2 para. 1(2) substituted (1.12.2015) by Housing (Scotland) Act 2014 (asp 14), **ss. 26(1)(b)**, 104(3); S.S.I. 2015/272, art. 2, Sch.
- F5** Words in sch. 2 para. 1(2)(b) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 6(20)(b)(ii)** (with sch. 1)
- F6** Words in sch. 2 para. 1(3) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 6(20)(b)(iii)** (with sch. 1)
- F7** Words in sch. 2 para. 1(3) substituted (1.12.2015) by Housing (Scotland) Act 2014 (asp 14), **ss. 26(1)(e)**, 104(3); S.S.I. 2015/272, art. 2, Sch.
- F8** Sch. 2 para. 1(4) inserted (1.12.2015) by Housing (Scotland) Act 2014 (asp 14), **ss. 26(1)(d)**, 104(3); S.S.I. 2015/272, art. 2, Sch.
- F9** Words in sch. 2 para. 1(4) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 6(20)(b)(iv)** (with sch. 1)

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