

*Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Paragraph 2. (See end of Document for details)*

## SCHEDULE 2

### [<sup>F1</sup>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)

#### *Inquiries*

- 2 (1) The [<sup>F1</sup>First-tier Tribunal] may, in considering an application, make such inquiries as [<sup>F2</sup>it thinks] fit for the purposes of determining whether the landlord has complied with the duty imposed by section 14(1)(b) in relation to the house concerned.
- (2) Inquiries may be made about matters other than those to which the application relates.
- (3) Inquiries must include—
- (a) consideration of any timeous written representation made by or on behalf of the landlord [<sup>F3</sup>, the tenant or, as the case may be, third party applicant] ,
  - (b) where the [<sup>F4</sup>First-tier Tribunal] receives a timeous request to make an oral representation, hearing any such representation made by or on behalf of the landlord [<sup>F5</sup>, tenant or, as the case may be, third party applicant] who made the request, and
  - (c) consideration of any report about the state of repair of the house concerned which the [<sup>F4</sup>First-tier Tribunal] requests a third party to prepare.
- (4) A representation or request is timeous if it is received—
- (a) by the day specified [<sup>F6</sup>in accordance with] paragraph 1(1)(c), or
  - (b) where a later day is specified [<sup>F7</sup>in accordance with paragraph 1(2)(b) or (4)(b)] , by that later day.

#### Textual Amendments

- F1** Words in sch. 2 para. 2(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\(20\)\(c\)\(i\)\(aa\)](#) (with sch. 1)
- F2** Words in sch. 2 para. 2(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\(20\)\(c\)\(i\)\(bb\)](#) (with sch. 1)
- F3** Words in sch. 2 para. 2(3)(a) substituted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), [ss. 26\(2\)\(a\)](#), 104(3); [S.S.I. 2015/272](#), art. 2, sch.
- F4** Words in sch. 2 para. 2(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\(20\)\(c\)\(ii\)](#) (with sch. 1)
- F5** Words in sch. 2 para. 2(3)(b) substituted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), [ss. 26\(2\)\(b\)](#), 104(3); [S.S.I. 2015/272](#), art. 2, sch.
- F6** Words in sch. 2 para. 2(4)(a) substituted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), [ss. 26\(2\)\(c\)](#), 104(3); [S.S.I. 2015/272](#), art. 2, sch.

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**F7** Words in sch. 2 para. 2(4)(b) substituted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\), ss. 26\(2\)\(d\), 104\(3\)](#); S.S.I. 2015/272, art. 2, sch.

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