



Housing (Scotland) Act 2006

2006 asp 1

PART 5

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Meaning of “house in multiple occupation”

127 Power to designate HMOs capable of being exempted by local authorities

- (1) The Scottish Ministers may by order describe types of HMOs which may be exempted by a local authority from the requirement to be licensed under this Part.
- (2) A local authority may by order exempt from the requirement to be licensed under this Part any HMO of a type described in an order made under subsection (1) which is situated in—
 - (a) the authority’s area, or
 - (b) any part of that area as may be specified in the order,and the local authority may vary or revoke such an order at any time.
- (3) The local authority must give notice of any order it makes, or of any variation or revocation, under subsection (2)—
 - (a) in a newspaper circulating in the authority’s area, and
 - (b) to every person entered in the register maintained by the authority under section 82(1) of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8) (the “register of landlords”).
- (4) The local authority must serve a copy of any notice given under subsection (3)(b) on any other person who—
 - (a) acts for the person to whom the notice is given, and
 - (b) is specified in the authority’s register of landlords as being a person who so acts,but failure to comply with this subsection does not invalidate the related notice given under subsection (3)(b).
- (5) Where—
 - (a) an order made by the Scottish Ministers under subsection (1) is revoked, or

Status: This is the original version (as it was originally enacted).

(b) any description of a type of HMO set out in such an order is amended, an order made by a local authority under subsection (2) ceases to have effect in so far as it relates to any type of HMO which may no longer be exempted by an order under subsection (2).