



Housing (Scotland) Act 2006

2006 asp 1

PART 5

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Temporary exemptions

142 Temporary exemption orders

- (1) The local authority may, on the application of the owner of any HMO which requires to be licensed under this Part but which is not so licensed, grant an order (“a temporary exemption order”) in respect of the HMO.
- (2) Such an application must specify the steps which the owner of the HMO intends to take with a view to securing that it stops being an HMO which requires to be licensed under this Part.
- (3) The local authority may grant a temporary exemption order only if satisfied that the steps specified in the application will have the intended effect.
- (4) An HMO does not require to be licensed under this Part during any period for which a temporary exemption order has effect in relation to it.
- (5) A temporary exemption order has effect for—
 - (a) 3 months from the date it is granted, or
 - (b) where that period is extended under subsection (6), the extended period.
- (6) The local authority may, on the application of the owner of any HMO in respect of which a temporary exemption order has effect, extend the period during which the order has effect by such period (not exceeding 3 months) as it thinks fit.
- (7) But the local authority may so extend a period only if satisfied that there are exceptional circumstances which justify the extension.
- (8) The 3 month period may not be extended more than once.

Changes to legislation: *There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 142. (See end of Document for details)*

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Commencement Information

II [S. 142](#) in force at 31.8.2011 by [S.S.I. 2010/159](#), [art. 3](#)

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