



Housing (Scotland) Act 2006

2006 asp 1

PART 7

REPAYMENT CHARGES

[^{F1}174A Repayment charges: registered social landlords

- (1) The Scottish Ministers may by regulations make provision allowing a registered social landlord to make in favour of itself a charge to recover a sum which—
 - (a) the registered social landlord is entitled to recover from an owner of a flat in a tenement, and
 - (b) represents the owner's share of scheme costs as determined in accordance with section 4A(3) of the 2004 Act.
- (2) Regulations under subsection (1) may, in particular—
 - (a) apply (with or without modifications), or make provision similar to, any provision of or made under this Part,
 - (b) prescribe conditions which must apply before a charge can be made in relation to a sum mentioned in subsection (1), including conditions relating to—
 - (i) the registered social landlord which may make a charge,
 - (ii) the circumstances leading to the sum becoming recoverable by the registered social landlord,
 - (c) modify the Tenement Management Scheme or its operation,
 - (d) make provision about rights of appeal which apply in relation to—
 - (i) the decision to impose a charge,
 - (ii) the terms of the charge.
- (3) Before making regulations under subsection (1), the Scottish Ministers must consult—
 - (a) such bodies representing local authorities,
 - (b) such bodies representing registered social landlords,
 - (c) such other persons,as they think fit.
- (4) Regulations under subsection (1) may modify any enactment (including this Act).
- (5) In this section—

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 174A. (See end of Document for details)

“ owner of a flat in a tenement ” is to be construed in accordance with the definition of “owner” in section 28 of the 2004 Act,

“ registered social landlord ” means a body registered in the register maintained under section 20(1) of the Housing (Scotland) Act 2010 (asp 17),

“ Tenement Management Scheme ” has the same meaning as in the 2004 Act, and

“ the 2004 Act ” means the Tenements (Scotland) Act 2004 (asp 11).]

Textual Amendments

- F1** S. 174A inserted (20.11.2014) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), ss. **85(3)**, 104(3); S.S.I. 2014/264, art. 2, Sch.

Changes to legislation:

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