



Housing (Scotland) Act 2006

2006 asp 1

PART 1

HOUSING STANDARDS

CHAPTER 5

REPAIR, IMPROVEMENT AND DEMOLITION OF HOUSES

Enforcement by local authority

36 Carrying out of work by local authority: repairing standard

- (1) Where [^{F1}the First-tier Tribunal] notifies the local authority that a landlord—
 - (a) is unable to comply with the duty imposed by section 14(1)(b), or
 - (b) has failed, or is unable, to comply with a repairing standard enforcement order,the local authority may carry out the work specified in subsection (2).
- (2) That work is—
 - (a) the work needed to bring the house concerned up to the repairing standard or, as the case may be, the work required by the repairing standard enforcement order, and
 - (b) any other work which, in the course of carrying out work required by the order, the local authority finds to be required for the purposes of enabling the work required by the order to be carried out.
- (3) Before carrying out any work authorised by subsection (1) the local authority must give 21 days' notice of its intention to do so to the landlord and the tenant under the tenancy to which the order relates.
- (4) The requirement to give notice under subsection (3) does not apply if the local authority considers—
 - (a) that the situation is urgent, or

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 36. (See end of Document for details)

- (b) in the case of work falling within subsection (2)(b), that it would otherwise be impractical to carry out any other work in respect of which notice has been given under subsection (3) before carrying out the work in question.

Textual Amendments

- F1** Words in s. 36(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(10)** (with sch. 1)

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