



Housing (Scotland) Act 2006

2006 asp 1

PART 2

SCHEME OF ASSISTANCE FOR HOUSING PURPOSES

Grants and loans: conditions

86 Breach of conditions of grant or loan

- (1) In the event of a breach of any of the conditions mentioned in section 83 which apply to any land or premises, the local authority must, subject to subsections (2) to (4), demand from the owner for the time being of the land or premises payment of the sums specified in section 87.
- (2) If the authority is satisfied that the breach of any condition can be remedied it may, with the consent of the Scottish Ministers and subject to any conditions imposed by them, suspend the operation of subsection (1) for such period as they consider necessary to enable the breach to be remedied.
- (3) If the breach is remedied within that period the authority may direct that the breach is to be disregarded for the purposes of this section.
- (4) If the authority—
 - (a) considers that the breach cannot be remedied, but
 - (b) is satisfied that it was not due to the act, default or connivance of the owner for the time being of the land or premises,it may, with the consent of the Scottish Ministers and subject to any conditions approved by them, direct that the breach is to be disregarded for the purposes of this section.
- (5) On the application of the authority the sheriff within whose jurisdiction the land is, or premises are, situated may, whether or not any other relief is claimed, grant an interdict restraining a breach or apprehended breach of any of those conditions.

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 86. (See end of Document for details)

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Commencement Information

II [S. 86](#) in force at 1.4.2009 by [S.S.I. 2009/122](#), **art. 3**

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