



# Housing (Scotland) Act 2006

## 2006 asp 1

### HOUSING (SCOTLAND) ACT 2006

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#### *Consultation*

- 1 (1) Where a local authority proposes to designate any locality...

#### *Consideration by Scottish Ministers*

- 2 Housing renewal areas: procedure

#### *Notice of decision*

- 3 (1) The local authority must, as soon as practicable after...

#### *Listed buildings etc.*

- 4 A building falls within this paragraph if it is—



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## SCHEDULE 2 — The First-Tier Tribunal: procedure etc.

### *Notification of referral*

- 1 (1) On receipt of a referral of a tenant's application...

### *Inquiries*

- 2 (1) The First-tier Tribunal may, in considering an application, make...

### *Evidence*

- 3 (1) The First-tier Tribunal may, for the purposes of making...

### *Duty to consult on provision for detecting fires*

- 4 The First-tier Tribunal must, where the application relates to the...

### *Expenses*

- 5 (1) The Scottish Ministers may pay to any person such...

### *Recording and notification of decisions*

- 6 (1) This paragraph applies to any decision of the First-tier...

### *Withdrawal of application*

- 7 (1) A tenant may withdraw an application under section 22(1)...

### *Procedure: further provision.*

- 8 (1) The Scottish Ministers may by regulations make further provision...

## SCHEDULE 3 — Penalty charge notices under section 111

- 1 A penalty charge notice given to a person under section...
- 2 The penalty charge specified in the notice must be the...
- 3 (1) The period specified under paragraph 1(c) must—
- 4 (1) If, within the period specified under paragraph 1(c) (or...
- 5 (1) If after a review the penalty charge notice is...
- 6 If the penalty charge notice is withdrawn or quashed, the...
- 7 (1) The amount of the penalty charge is recoverable from...
- 8 In proceedings for the recovery of the penalty charge, a...

## SCHEDULE 4 — Applications for HMO licences: procedure

### *Content of application*

- 1 (1) An application for an HMO licence must be written...

### *Notice of application*

- 2 (1) A “notice of HMO application” is a notice which—...

### *Notices: exceptions*

- 3 (1) This paragraph applies where the local authority considers, on...

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### *Representations*

- 4 (1) A written representation about an application for an HMO...

### *Inquiries*

- 5 (1) The local authority may make such inquiries about the...

### *Applicant's opportunity to respond*

- 6 (1) The local authority must give the applicant a copy...

### *Hearings*

- 7 (1) The local authority may decide to hear oral representations...

### *Consideration of application*

- 8 (1) Before determining an application for an HMO licence, the...

### *Time limit for determining application*

- 9 (1) The local authority must decide whether to grant or...

## SCHEDULE 5 — HMO amenity notices: enforcement etc.

### *Carrying out of work by local authority*

- 1 (1) If the owner of living accommodation fails to comply...

### *Evacuation*

- 2 (1) Where the local authority— (a) is authorised by this...

### *Warrants for ejection*

- 3 (1) Where an occupant has not complied with a requirement...

### *Unlawful occupation etc.*

- 4 (1) A person commits an offence if the person, knowing...

### *Listed buildings etc.*

- 5 (1) This paragraph applies to a building which is—

### *Recovery of expenses etc.*

- 6 (1) The local authority may recover any expenses it incurs...

### *Certification*

- 7 (1) A person who is required to carry out work...

### *Registration*

- 8 The local authority must keep a written record of each...

## SCHEDULE 6 — Consequential changes Part 1 — MODIFICATION OF ACTS

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*References to “standard amenities”*

- 1 A reference in any previous enactment to “standard amenities” within...

*Crofters Holdings (Scotland) Act 1886 (c. 29)*

- 2 For paragraph 1A of the Schedule to the Crofters Holdings...

*Land Compensation (Scotland) Act 1973 (c. 56)*

- 3 In section 27(7) of the Land Compensation (Scotland) Act 1973—...

*Rent (Scotland) Act 1984 (c. 58)*

- 4 The Rent (Scotland) Act 1984 is amended as follows.  
5 For “rent assessment”, in each place where those words appear...  
6 In section 106— (a) in subsection (1), for the words...  
7 In section 115(1), for the definition of “rent assessment committee”...  
8 In paragraph 5 of Schedule 4, the words “to act...”

*Housing (Scotland) Act 1987 (c. 26)*

- 9 The 1987 Act is amended as follows.  
10 In section 107, after “amenities”, where it first occurs, insert...  
11 In section 308(1), for the words from “sections” to “8”...  
12 In section 311(1), for paragraph (b) substitute—  
13 In section 313(3), for the words from “may,” to the...  
14 In section 338(1), for the definition of “disabled person” substitute—...  
15 In paragraph 1 of Schedule 9, for “sections 108(3), 131(2)...”

*Housing (Scotland) Act 1988 (c. 43)*

- 16 In the Housing (Scotland) Act 1988, for “rent assessment”, in...

*Tribunals and Inquiries Act 1992 (c. 53)*

- 17 In paragraph 59 of Schedule 1 to the Tribunals and...

*Home Energy Conservation Act 1995 (c. 10)*

- 18 In section 1 of the Home Energy Conservation Act 1995,...

*Scottish Public Services Ombudsman Act 2002 (asp 11)*

- 19 In paragraph 5 of schedule 3 to the Scottish Public...

*Building (Scotland) Act 2003 (asp 8)*

- 20 Section 24 (duty to keep building standards register) of the...  
21 In subsection (1)— (a) the word “and” which follows paragraph...  
22 In subsection 2(a), for “(c)” substitute “(d)”.

*Fire (Scotland) Act 2005 (asp 5)*

- 23 In section 78(5)(a) of the Fire (Scotland) Act 2005, for...

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*The Civic Government (Scotland) Act 1982*  
*(Licensing of Houses in Multiple Occupation) Orders*

- 24 The following orders are revoked— (a) the Civic Government (Scotland)...

SCHEDULE 7 — Repeals

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**Changes and effects yet to be applied to :**

- s. 12(1)(c)-(e) omitted by [S.S.I. 2019/61 reg. 2\(2\)](#)
- s. 21(3) transfer of functions by [S.S.I. 2016/337 reg. 3\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 21 omitted (1.12.2016) by virtue of 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(2) (with sch. 1))
- s. 21(3) transfer of functions by [S.S.I. 2016/338 reg. 3\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 21 omitted (1.12.2016) by virtue of 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(2) (with sch. 1))
- s. 22 title word inserted by [2011 asp 14 s. 35\(3\)](#)
- s. 64(7) words substituted by [2014 asp 14 sch. 1 para. 53\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 64(7) was 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(14)(d) (with sch. 1))