
*Changes to legislation: There are currently no known outstanding effects for the
Tenements (Scotland) Act 2004, RULE 5 –. (See end of Document for details)*

SCHEDULE 1 TENEMENT MANAGEMENT SCHEME

RULE 5 –

REDISTRIBUTION OF SHARE OF COSTS

Where an owner is liable for a share of any scheme costs but—

- (a) a scheme decision has been made determining that the share (or a portion of it) should not be paid by that owner, or
- (b) the share cannot be recovered for some other reason such as that—
 - (i) the estate of that owner has been sequestrated, or
 - (ii) that owner cannot, by reasonable inquiry, be identified or found,

then ^{F1}(unless that share has been paid by the local authority under section 4A)] that share must be paid by the other owners who are liable for a share of the same costs (the share being divided equally among the flats of those other owners), but where paragraph (b) applies that owner is liable to each of those other owners for the amount paid by each of them.

Textual Amendments

- F1** Words in [sch. 1 rule 5](#) inserted (1.4.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\), ss. 85\(1\)\(d\), 104\(3\); S.S.I. 2015/122, art. 2](#)

Commencement Information

- I1** Sch. 1 in force at 28.11.2004 by [S.S.I. 2004/487, art. 2\(1\)\(d\)](#)

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