



Housing (Scotland) Act 2010

2010 asp 17

PART 4

INQUIRIES AND INFORMATION

Inquiries

44 Inquiries: survey powers

- (1) The Regulator may arrange for a survey of the condition of housing accommodation where it suspects that the standard to which it is being maintained means that a social landlord is, or is at risk of, failing—
 - (a) to achieve a standard or an outcome set out in the Scottish Social Housing Charter,
 - (b) to meet a performance improvement target,
 - (c) to meet a financial management or governance target, or
 - (d) to implement an approved performance improvement plan.
- (2) The Regulator may require the social landlord to pay some or all of the expenses of the survey.
- (3) A survey may be carried out by any person authorised in writing by the Regulator.
- (4) The authorised person—
 - (a) has a right of access to the housing accommodation at all reasonable times to carry out the survey,
 - (b) must, when seeking to enter accommodation in order to carry out a survey, produce a copy of his or her authorisation on request by an occupier.
- (5) The Regulator must give the social landlord at least 28 days' notice of its intention to carry out a survey.
- (6) A social landlord to which notice is given under subsection (5) must give each occupier of the housing accommodation concerned at least 7 days' notice of the Regulator's intention to carry out a survey.
- (7) The authorised person must—

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Section 44. (See end of Document for details)

- (a) produce a written report after carrying out a survey, and
 - (b) give a copy of the report to the Regulator.
- (8) The Regulator must give a copy of the authorised person's report to the social landlord.
- (9) It is an offence for a person, without reasonable excuse—
- (a) to fail to comply with subsection (6), or
 - (b) to obstruct an authorised person from carrying out a survey under this section.
- (10) A person guilty of an offence under subsection (9) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Commencement Information

II S. 44 in force at 1.4.2012 by [S.S.I. 2012/39](#), art. 2, [Sch. 1](#) (with [Sch. 2](#))

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