



Private Rented Housing (Scotland) Act 2011

2011 asp 14

PART 1

REGISTRATION OF PRIVATE LANDLORDS

1 Fit and proper person: considerations

(1) In section 85 of the 2004 Act (section 84: considerations)—

(a) in subsection (2)—

(i) in paragraph (a), after sub-paragraph (i) insert—

“(ia) firearms (within the meaning of section 57(1) of the Firearms Act 1968 (c. 27));”,

(ii) after that paragraph, insert—

“(aa) committed a sexual offence (within the meaning of section 210A(10) of the Criminal Procedure (Scotland) Act 1995 (c. 46));”,

(b) after subsection (5) insert—

“(6) Examples of material which falls within subsection (2) (as mentioned in paragraph (c)(i) or (ii)) are (without prejudice to the generality of that provision)—

(a) an offence or disqualification under—

(i) this Part;

(ii) Part 5 of the Housing (Scotland) Act 2006 (asp 1);

(b) a repairing standard enforcement order made under section 24(2) of that Act.

(7) Examples of material which falls within subsection (3) are (without prejudice to the generality of that provision)—

(a) an antisocial behaviour order (or any interim order) within the meaning of Part 2;

(b) an antisocial behaviour notice within the meaning of Part 7.

Changes to legislation: There are currently no known outstanding effects for the Private Rented Housing (Scotland) Act 2011, Section 1. (See end of Document for details)

(8) Examples of material which falls within subsection (4) are (without prejudice to the generality of that provision)—

- (a) complaints and other information which come to the attention of the local authority concerning the relevant person or, as the case may be the person, in relation to the fulfilment of any financial obligation in respect of any house which is included in the application;
- (b) concerns and other information which come to the attention of the local authority in the exercise of any of its functions in connection with any house which is included in the application;
- (c) where section 85A(3)(b) applies, the relevant person fails to provide the certificate within the period the local authority directs.

(9) The Scottish Ministers may by order modify subsection (2).”.

(2) In section 141(4)(a) of that Act (orders and regulations), after “83(7),” insert “ 85(9), ”.

Commencement Information

II S. 1 in force at 1.7.2012 by S.S.I. 2012/150, art. 2(1)

Changes to legislation:

There are currently no known outstanding effects for the Private Rented Housing (Scotland) Act 2011, Section 1.