



Housing (Scotland) Act 2014

2014 asp 14

HOUSING (SCOTLAND) ACT 2014

PART 1

RIGHT TO BUY

- 1 Abolition of the right to buy
- 2 Amendment of right to buy provisions

PART 2

SOCIAL HOUSING

Allocation of social housing

- 3 Reasonable preference in allocation of social housing
- 4 Rules on priority of allocation of housing: consultation
- 5 Factors which may be considered in allocation: ownership of property
- 6 Determination of minimum period for application to remain in force

Short Scottish secure tenancy

- 7 Creation of short Scottish secure tenancy: antisocial behaviour
- 8 Grant of short Scottish secure tenancy: homeowners
- 9 Short Scottish secure tenancy: term
- 10 Short Scottish secure tenancy: extension of term
- 11 Short Scottish secure tenancy: recovery of possession

Scottish secure tenancy

- 12 Assignment, sublet and joint tenancy of Scottish secure tenancy
- 13 Succession to Scottish secure tenancy
- 14 Grounds for eviction: antisocial behaviour
- 15 Recovery of possession of properties designed for special needs

PART 3

PRIVATE RENTED HOUSING

Changes to legislation: Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Transfer of sheriff's jurisdiction to First-tier Tribunal

- 16 Regulated and assured tenancies etc.
- 17 Repairing standard
- 18 Right to adapt rented houses
- 19 Landlord registration
- 20 Houses in multiple occupation

Landlord registration: time limit for determining application

- 21 Landlord registration: time limit for determining application

Repairing standard

- 22 Carbon monoxide alarms
- 23 Electrical safety inspections
- 24 Power to modify repairing standard etc.

Enforcement of repairing standard

- 25 Third party application in respect of the repairing standard
- 26 Procedure for third party applications
- 27 Appeals in relation to third party applications

Private rented housing: Enhanced Enforcement Areas

- 28 Private rented housing: Enhanced Enforcement Areas

PART 4

LETTING AGENTS

Inclusion in the register

- 29 Register of letting agents
- 30 Application for registration
- 31 Offence of providing false information in an application
- 32 Decision on application
- 33 Time limit for determining application
- 34 Fit and proper person considerations
- 35 Fit and proper person: criminal record information

Duties of registered letting agents

- 36 Letting agent registration number
- 37 Duty to inform: change of circumstances

Removal from the register

- 38 Duration of registration
- 39 Revocation of registration
- 40 Removal from register on application

Appeals

- 41 Appeals

Changes to legislation: Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Consequences of refusal or removal

- 42 Note on register where refusal or removal
- 43 No payment for letting agency work where refusal or removal

Offences where no registration

- 44 Offence of operating as a letting agent without registration
- 45 Offence of using a registration number where no registration

Code of practice

- 46 Letting Agent Code of Practice
- 47 Prohibition on contracting out

Letting agent enforcement orders

- 48 Applications to First-tier Tribunal to enforce code of practice
- 49 Variation and revocation of enforcement orders
- 50 Failure to comply with enforcement order
- 51 Enforcement orders: offence

Monitoring of compliance

- 52 Power to obtain information
- 53 Power to carry out inspections
- 54 Warrants for entry
- 55 Inspections: supplemental
- 56 Information and inspection: offence

General

- 57 Transfer of jurisdiction of actions involving letting agents
- 58 Offences by bodies corporate etc.
- 59 Delegation of functions relating to the register
- 60 Landlord registration where agent is a registered letting agent
- 61 Meaning of letting agency work
- 62 Interpretation of Part 4

PART 5

MOBILE HOME SITES WITH PERMANENT RESIDENTS

General application

- 63 Licensing of sites for permanent residents

Part 1A site licence

- 64 Relevant permanent site application
- 65 Issue, renewal, transfer and transmission of a Part 1A site licence
- 66 Duration of a Part 1A site licence
- 67 Duty to inform local authority where change
- 68 Revocation of a Part 1A site licence: fit and proper person
- 69 Appeals relating to a Part 1A site licence
- 70 Power to make provision in relation to procedure and appeals

Changes to legislation: Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Fit and proper persons

- 71 Fit and proper person considerations
- 72 Fit and proper person: criminal conviction certificate
- 73 Fit and proper person: information sharing

Offences relating to relevant permanent sites

- 74 Offences relating to relevant permanent sites

Local authority enforcement at relevant permanent sites

- 75 Improvement notices
- 76 Penalty notices
- 77 Appointment of interim manager
- 78 Emergency action
- 79 Powers of entry
- 80 Recovery of inspection and enforcement expenses

Miscellaneous

- 81 Offences by bodies corporate etc. under Part 1A of the 1960 Act
- 82 Part 1A of the 1960 Act: miscellaneous provision
- 83 Transitional provision for existing site licences
- 84 Agreements to which the Mobile Homes Act 1983 applies

PART 6

PRIVATE HOUSING CONDITIONS

- 85 Tenement management scheme
- 86 Notice of potential liability for costs: notice of discharge
- 87 Work notices
- 88 Maintenance orders
- 89 Maintenance plans
- 90 Non-residential premises: repayment charges
- 91 Repayment charges: recovery of repayable amount
- 92 Charging orders

PART 7

MISCELLANEOUS

- 93 Right to redeem heritable security after 20 years: power to exempt
- 94 First-tier Tribunal: disqualification of members from exercise of certain functions
- 95 Private rented housing panel: disqualification from membership
- 96 Delegation of certain functions
- 97 Scottish Housing Regulator: transfer of assets following inquiries
- 98 Registered social landlord becoming a subsidiary of another body
- 99 Repeal of defective designation provisions

PART 8

GENERAL

- 100 Interpretation
- 101 Subordinate legislation

Changes to legislation: *Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- 102 Ancillary provision
- 103 Minor and consequential amendments
- 104 Commencement
- 105 Short title

SCHEDULE 1 — Transfer of jurisdiction to First-tier Tribunal
PART 1 — REGULATED TENANCIES, PART VII CONTRACTS AND ASSURED
TENANCIES

Rent (Scotland) Act 1984 (c.58)

- 1 The Rent (Scotland) Act 1984 is amended as follows.
- 2 In section 7(2), for “sheriff”, where it first occurs, substitute...
- 3 In section 11— (a) in subsection (1)—
- 4 In section 12— (a) in subsection (1), for “a court”...
- 5 In section 19(1), for “a court” substitute “ the First-tier...
- 6 In section 21, for “court”, where it first occurs substitute,...
- 7 In section 23(1), for “court” substitute “ First-tier Tribunal ”....
- 8 In section 24— (a) in subsection (3), for “court”, where...
- 9 In section 25(1), the definition of “the court” is repealed...
- 10 In section 26, for “court”, where it first occurs, substitute...
- 11 Section 27 is repealed.
- 12 In section 31(2)— (a) for “sheriff” substitute “ First-tier Tribunal...
- 13 In section 32— (a) in subsection (4), for “sheriff”, in...
- 14 In section 35(12), after “court” insert “ or tribunal ”....
- 15 In section 39— (a) for “a court” substitute “ the...
- 16 In section 43B(4)(b), after “court” insert “ or tribunal ”....
- 17 In section 45(3), after “court” insert “ or tribunal ”....
- 18 In section 60(3)— (a) for “sheriff”, where it first occurs,...
- 19 In section 64(6)(b), for “sheriff, on a summary application” substitute...
- 20 In section 75— (a) for “sheriff”, where it first occurs,...
- 21 In section 76— (a) in subsection (2), for “sheriff may,...
- 22 In section 77, for “sheriff court” substitute “ First-tier Tribunal...
- 23 In section 97— (a) in subsection (8), for “sheriff” in...
- 24 In section 102— (a) before subsection (1) insert—
- 25 In section 103, leave out subsections (1) and (2) and...
- 26 In section 104, before “this Act” insert “ Part IX...
- 27 In section 115(1), after the definition of “converted tenancy” insert—...
- 28 In Schedule 1— (a) in paragraph 3, for “sheriff” substitute...
- 29 In Schedule 1A— (a) in paragraph 3, for “sheriff” substitute...
- 30 In paragraph 3 of Schedule 1B, for “sheriff” substitute “...
- 31 In Schedule 2— (a) in Cases 3, 4, 5, 9,...

Housing (Scotland) Act 1988 (c.43)

- 32 The Housing (Scotland) Act 1988 is amended as follows.
- 33 In section 16(2), for “sheriff” substitute “ First-tier Tribunal ”....
- 34 In section 17(8), for “sheriff” substitute “ First-tier Tribunal ”....
- 35 In section 18— (a) in subsection (1), for “sheriff” substitute...
- 36 In section 19— (a) in subsection (1)—
- 37 In section 20— (a) in subsection (1)—
- 38 In section 21(3)— (a) for “sheriff” substitute “ First-tier Tribunal...

Changes to legislation: *Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- 39 In section 22— (a) in subsection (1), for “sheriff” substitute...
- 40 In section 25(7), for “sheriff” substitute “ First-tier Tribunal ”....
- 41 In section 28(1), for “sheriff” substitute “ First-tier Tribunal ”....
- 42 In section 29, for “sheriff”, where it first occurs, substitute...
- 43 In section 30(2)— (a) the word “summary” is repealed,
- 44 In section 33— (a) in subsection (1)—
- 45 In section 36— (a) after subsection (4) insert—
- 46 In section 42(1)(c)— (a) in sub-paragraph (i), for “court”, where...
- 47 In section 55(1), after the definition of “council tax” insert—...
- 48 In Schedule 5— (a) in grounds 1, 2, 5 and...

PART 2 — REPAIRING STANDARD

Housing (Scotland) Act 2006 (asp 1)

- 49 The 2006 Act is amended as follows.
- 50 In section 24(7)— (a) for “sheriff” substitute “ First-tier Tribunal”...
- 51 In section 194, after the definition of “disabled person” insert—...

PART 3 — RIGHT TO ADAPT RENTED HOUSES

Housing (Scotland) Act 2006 (asp 1)

- 52 The 2006 Act is amended as follows.
- 53 In section 64— (a) subsection (6) is repealed,
- 54 Subsections (3) and (4) of section 65 are repealed.
- 55 Section 67 is repealed.

PART 4 — LANDLORD REGISTRATION

Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)

- 56 The 2004 Act is amended as follows.
- 57 In section 92— (a) subsection (4) is repealed,
- 58 In section 92ZA— (a) in subsection (1)(b)—
- 59 In section 97— (a) in subsection (6), for “court” substitute...
- 60 In section 101(1)— (a) before the definition of “house”, insert—...

SCHEDULE 2 — Minor and consequential amendments

Local Government, Planning and Land Act 1980 (c.65)

- 1 Section 156(4) of the Local Government, Planning and Land Act...

Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)

- 2 Section 13(11) of the Matrimonial Homes (Family Protection) (Scotland) Act...

Rent (Scotland) Act 1984 (c.58)

- 3 In Case 7 of Part 1 of Schedule 2 to...

Housing (Scotland) Act 1987 (c.26)

- 4 (1) The 1987 Act is amended as follows.

Housing (Scotland) Act 1988 (c.43)

- 5 (1) The Housing (Scotland) Act 1988 is amended as follows....

Changes to legislation: *Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Local Government and Housing Act 1989 (c.42)

6 Section 166(1) to (5) of the Local Government and Housing...

Leasehold Reform, Housing and Urban Development Act 1993 (c.28)

7 Section 156 of the Leasehold Reform, Housing and Urban
Development...

Local Government etc. (Scotland) Act 1994 (c.39)

8 Paragraph 152(6) of Schedule 13 to the Local Government etc....

Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5)

9 Paragraph 48(3) of schedule 12 to the Abolition of Feudal...

Housing (Scotland) Act 2001 (asp 10)

10 (1) The 2001 Act is amended as follows.

Water Industry (Scotland) Act 2002 (asp 3)

11 Paragraph 18(5) of schedule 7 to the Water Industry (Scotland)...

Scottish Public Services Ombudsman Act 2002 (asp 11)

12 Paragraph 44 of schedule 2 to the Scottish Public Services...

Freedom of Information (Scotland) Act 2002 (asp 13)

13 (1) The Freedom of Information (Scotland) Act 2002 is amended...

Land Reform (Scotland) Act 2003 (asp 2)

14 (1) The Land Reform (Scotland) Act 2003 is amended as...

Agricultural Holdings (Scotland) Act 2003 (asp 11)

15 Section 27(1)(g)(vi) of the Agricultural Holdings (Scotland) Act 2003
is...

Fire (Scotland) Act 2005 (asp 5)

16 Paragraph 13 of schedule 3 to the Fire (Scotland) Act...

Housing (Scotland) Act 2006 (asp 1)

17 In section 22 of the 2006 Act—

Housing (Scotland) Act 2010 (asp 17)

18 (1) The 2010 Act is amended as follows.

Police and Fire Reform (Scotland) Act 2012 (asp 8)

19 Paragraph 56 of schedule 7 to the Police and Fire...

Changes to legislation:

Housing (Scotland) Act 2014 is up to date with all changes known to be in force on or before 02 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 25 coming into force by [S.S.I. 2015/272 art. 2Sch.](#) (This amendment not applied to legislation.gov.uk. The entry for s. 25 is omitted (30.11.2015) by virtue of S.S.I. 2015/349, art. 2)
- s. 35(2) words substituted by [2020 asp 13 sch. 5 para. 6](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2016/412, art. 3(1) (a) by [S.S.I. 2017/330 art. 2](#)
- specified provision(s) amendment to earlier commencing SSI 2015/272 Sch. by [S.S.I. 2015/349 art. 2\(2\)](#)