

*These notes relate to the Housing (Scotland) Act 2001
(asp 10) which received Royal Assent on 18 July 2001*

HOUSING (SCOTLAND) ACT 2001

EXPLANATORY NOTES

BACKGROUND AND OVERVIEW

Part 2 – Tenants of Social Landlords

Chapter 2 – Right to Buy

Section 46: Limitation on right to buy: arrears of rent, council tax, etc.

81. This section inserts two new provisions into the 1987 Act. *Subsection (1)* inserts section 61D which entitles the landlord to refuse an application under the right to buy from a tenant or joint purchaser who has arrears of rent or other charges, of council tax, or of water and sewerage charges. Slightly different provisions apply in each of these three cases to reflect the differences in the bodies to which the arrears may be due.
82. *Subsection (2)* amends section 63 of the 1987 Act to require a tenant of a registered social landlord who has applied to exercise their right to buy to provide a certificate from the local authority stating whether or not they have any arrears of council tax or water or sewerage charge, and if so the amount of these arrears. The local authority is required to issue such a certificate free of charge and within a specified time.