



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 8

HOUSING: REGISTRATION OF CERTAIN LANDLORDS

Registration

88 Registered person: appointment of agent

- (1) Subsection (2) applies where—
 - (a) a person is registered by a local authority (the “registered person”); and
 - (b) the registered person appoints a person to act for the person in relation to—
 - (i) a lease; or
 - (ii) occupancy arrangement,by virtue of which an unconnected person may use as a dwelling a house within the area of the authority which the registered person owns.
- (2) The registered person shall, as soon as practicable after appointing the person, give notice in writing to the local authority of the appointment.
- (3) The local authority shall, as soon as practicable after being given notice under subsection (2), determine whether the condition in subsection (4) is satisfied in relation to the person appointed.
- (4) The condition is that the person is a fit and proper person to act for the registered person in relation to a lease or occupancy arrangement such as is mentioned in subsection (1) (b).
- (5) Subsections (2) to (5) of section 85 shall apply for the purposes of subsection (4) as those subsections apply for the purposes of subsection (1) of that section.
- (6) If the local authority determines that the condition in subsection (4) is satisfied—
 - (a) the registered person shall be deemed, with effect from the date of the determination, to be registered by virtue of subsection (4) of section 84; and

Status: This is the original version (as it was originally enacted).

- (b) the local authority shall give the registered person notice in writing of that fact.
- (7) Subsection (6)(a) shall not affect the calculation of the period mentioned in section 84(6).
- (8) If the local authority determines that the condition in subsection (4) is not satisfied, the authority shall remove the registered person from the register.