



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 8

HOUSING: REGISTRATION OF CERTAIN LANDLORDS

Enforcement

93 Offences

(1) Where—

- (a) a relevant person owns a house within the area of a local authority which is subject to—
- (i) a lease; or
 - (ii) an occupancy arrangement,
- by virtue of which an unconnected person may use the house as a dwelling;
and

(b) the relevant person is not registered by that authority,
the relevant person shall be guilty of an offence.

(2) Where—

- (a) a relevant person is not registered by a local authority; and
- (b) in relation to a house that the relevant person owns in the area of the authority, the relevant person communicates with another person with a view to entering into a lease or an occupancy arrangement such as is mentioned in subsection (1)(a),

the relevant person shall be guilty of an offence.

(3) Where subsection (5) applies, nothing in subsection (1) makes it an offence for a relevant person to own a house which is subject to a lease or, as the case may be, occupancy arrangement such as is mentioned in subsection (1).

(4) Where subsection (5) applies, nothing in subsection (2) makes it an offence for a relevant person to communicate with another person with a view to entering into

Status: This is the original version (as it was originally enacted).

a lease or, as the case may be, occupancy arrangement such as is mentioned in subsection (2).

- (5) This subsection applies where—
- (a) the relevant person has made an application under section 83 to the local authority within whose area the house is situated; but
 - (b) the application has not been determined under section 84 by the authority.
- (6) It shall be a defence for a person charged with an offence under subsection (1) or (2) to show that there was a reasonable excuse for acting in the way charged.
- (7) A person guilty of an offence under subsection (1) or (2) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.