



Housing (Scotland) Act 2006

2006 asp 1

PART 1

HOUSING STANDARDS

CHAPTER 4

THE REPAIRING STANDARD

Landlord's duty to repair and maintain

13 The repairing standard

- (1) A house meets the repairing standard if—
- (a) the house is wind and water tight and in all other respects reasonably fit for human habitation,
 - (b) the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,
 - (c) the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,
 - (d) any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,
 - (e) any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed,^{F1}...
 - (f) the house has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire [^{F2}, and
 - (g) the house has satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.]
 - [^{F3}(h) the house meets the tolerable standard.]
- (2) In determining whether a house meets the standard of repair mentioned in subsection (1)(a), regard is to be had to the extent (if any) to which the house, by

Changes to legislation: Housing (Scotland) Act 2006, Section 13 is up to date with all changes known to be in force on or before 21 June 2019. 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)

reason of disrepair or sanitary defects, falls short of the provisions of any building regulations.

- (3) In determining whether a house meets the standard of repair mentioned in subsection (1)(b), regard is to be had to—
- (a) the age, character and prospective life of the house, and
 - (b) the locality in which the house is situated.
- (4) The reference in subsection (1)(c) to installations in a house includes reference to installations outwith the house which, directly or indirectly, serve the house and which the owner is responsible for maintaining (solely or in common with others) by virtue of ownership, any real burden or otherwise.
- [^{F4}(7) In determining whether a house meets the standards of repair mentioned in subsection (1)(c) to (k) regard is to be had to any guidance issued by the Scottish Ministers in relation to—
- (a) the condition of pipes supplying water for human consumption,
 - (b) electrical safety standards in relation to—
 - (i) installations for the supply of electricity, and
 - (ii) electrical fixtures, fittings and appliances,
 - (c) installation of a fixed heating system,
 - (d) equipment for detecting fire and for giving warning of fire or suspected fire,
 - (e) the tolerable standard,
 - (f) the type of emergency exit locks to be fitted to common doors in tenements,
 - (g) equipment for detecting, and for giving warning of, carbon monoxide in a concentration that is hazardous to health,
 - (h) the provision for, and safe access to, a food storage area and a food preparation space.]

Annotations:

Amendments (Textual)

- F1** Word in s. 13(1) repealed (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 22(a)**, 104(3); [S.S.I. 2015/272](#), art. 2, Sch.
- F2** S. 13(1)(g) and word inserted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 22(b)**, 104(3); [S.S.I. 2015/272](#), art. 2, Sch.
- F3** S. 13(1)(h) inserted (1.3.2019) by [The Housing \(Scotland\) Act 2006 \(Modification of the Repairing Standard\) Regulations 2019 \(S.S.I. 2019/61\)](#), regs. 1(2), **3(2)(c)**
- F4** S. 13(7) substituted for s. 13(4A)(5)(6) (1.3.2019) by [The Housing \(Scotland\) Act 2006 \(Modification of the Repairing Standard\) Regulations 2019 \(S.S.I. 2019/61\)](#), regs. 1(2), **3(3)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 13(1)(c) words inserted by S.S.I. 2019/61 reg. 3(2)(a)(ii)
- s. 13(1)(c) words substituted by S.S.I. 2019/61 reg. 3(2)(a)(i)
- s. 13(1)(f)(g) omitted by S.S.I. 2019/61 reg. 3(2)(b)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(1)(i)(j)(k) inserted by S.S.I. 2019/61 reg. 3(2)(d)