



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 9

#### RIGHTS OF ENTRY

#### **181 Rights of entry: general**

- (1) Any person authorised by a local authority is entitled to enter—
- (a) any land or premises for the purposes of enabling or assisting the local authority to decide whether any part of its area should be designated as an HRA,
  - (b) any premises for the purposes of enabling or assisting the local authority to decide whether—
    - (i) to serve a work notice or demolition notice,
    - (ii) any such notice has been complied with, or
    - (iii) to grant a certificate under section 60 in relation to work required by a work notice,
  - (c) any premises which the local authority is required or authorised by Part 1 to carry out work in or to demolish, for the purposes of doing so,
  - (d) any premises for the purposes of enabling the local authority to—
    - (i) decide whether to make a maintenance order,
    - (ii) consider or devise a maintenance plan,
    - (iii) decide whether a maintenance plan has been implemented, or
    - (iv) do anything which the local authority is authorised by section 48(2) or 49(1) to do,
  - (e) any living accommodation for the purposes of enabling or assisting the local authority to decide whether—
    - (i) the living accommodation is an HMO which requires to be licensed under Part 5,
    - (ii) to grant, vary or revoke an HMO licence in relation to the living accommodation,
    - (iii) a condition included in an HMO licence has been breached,
    - (iv) any person has failed to comply with a requirement made by a temporary exemption order,

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*Status: This is the original version (as it was originally enacted).*

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- (v) any person has failed to comply with a requirement made under section 145(2),
  - (vi) to serve an HMO amenity notice,
  - (vii) an HMO amenity notice has been complied with,
  - (viii) to grant a certificate under paragraph 7 of schedule 5 in relation to work required by an HMO amenity notice.
- (2) A member of a private rented housing committee, and any person authorised by any such member, is entitled to enter any house in respect of which a tenant's application under section 22(1) has been referred to the committee for the purposes of enabling or assisting the committee to—
- (a) determine the application under section 24(1),
  - (b) decide whether the landlord has complied with, or is likely to comply with, any repairing standard enforcement order made by the committee in pursuance of that application, or
  - (c) decide whether to grant a certificate under section 60 in relation to the work required by any such order.
- (3) The owner of any premises, or any person authorised by the owner, is entitled to enter the premises for the purposes of—
- (a) carrying out work required by a work notice or an HMO amenity notice,
  - (b) carrying out a demolition required by a demolition notice, or
  - (c) implementing a maintenance plan.
- (4) A landlord in a tenancy to which Chapter 4 of Part 1 applies, or any person authorised by the landlord, is entitled to enter the house concerned for the purpose of—
- (a) viewing its state and condition for the purpose of determining whether the house meets the repairing standard, or
  - (b) carrying out any work necessary to comply with the duty in section 14(1)(b) or a repairing standard enforcement order.
- (5) An authorisation under subsection (1) to (4) must state the particular purpose or purposes for which the entry is authorised.
- (6) Any person who inspects a house in exercise of a right conferred by subsection (2) must provide the committee with a report of that inspection.