



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 10

#### GENERAL AND SUPPLEMENTARY

#### **186 Power to obtain information etc.**

- (1) A local authority may, for the purpose of enabling or assisting it to exercise any function conferred on it by this Act in relation to any land or premises, serve notice on any person who appears to it to be a person falling within subsection (3) requiring the person to—
  - (a) state in writing to the local authority—
    - (i) the nature of that person's interest in the land or premises, and
    - (ii) the name and address of any other person known to that person as having an interest in the land or premises, and
  - (b) provide the local authority with any other information about the land or premises that it may reasonably request.
- (2) Where a notice under subsection (1) is served on a person who appears to the local authority to be occupying land or premises for the purpose of enabling or assisting the local authority to decide whether there is any living accommodation on the land or premises which is an HMO which requires to be licensed under Part 5, the notice may also require the person to disclose the relationship (if any) between that person and any other occupants.
- (3) A person falls within this subsection if the person—
  - (a) owns or occupies the land or premises concerned, or
  - (b) receives rent, directly or indirectly, in respect of that land or those premises.
- (4) Any person who, having been required by a notice under subsection (1) to give information to a local authority—
  - (a) without reasonable excuse, refuses or fails to give that information, or
  - (b) knowingly or recklessly makes any statement in respect of that information which is false or misleading in a material particular,is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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**Changes to legislation:** *There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 186. (See end of Document for details)*

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- (5) Nothing in this section authorises a local authority to require the disclosure of any information if such disclosure would make the person holding it susceptible under any enactment or rule of law to any sanction or other remedy.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 186.