



Housing (Scotland) Act 2014

2014 asp 14

PART 2 **S**

SOCIAL HOUSING

Allocation of social housing

5 Factors which may be considered in allocation: ownership of property **S**

(1) In section 20 of the 1987 Act (persons to have priority on housing list and allocation of housing), for subsection (2)(a)(viii) substitute—

“(viii) where any of the circumstances in subsection (2C) apply to that person, the ownership of, or value of, heritable property owned by—

- (A) the applicant,
- (B) a person who normally resides with the applicant, or
- (C) a person who it is proposed will reside with the applicant.”.

(2) After subsection (2B) insert—

“(2C) The circumstances are that—

- (a) in the case of a property which has not been let, the owner cannot secure entry to that property,
- (b) it is probable that occupation of the property will lead to abuse (within the meaning of the Protection from Abuse (Scotland) Act 2001 (asp 14)) from some other person residing in that property,
- (c) it is probable that occupation of it will lead to abuse (within the meaning of that Act) from some other person who previously resided with that person, whether in that property or elsewhere,
- (d) occupation of the property may endanger the health of the occupants and there are no reasonable steps which can be taken by the applicant to prevent that danger.”.

Changes to legislation: *Housing (Scotland) Act 2014, Section 5 is up to date with all changes known to be in force on or before 19 September 2023. 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) View outstanding changes*

Commencement Information

II [S. 5](#) in force at 1.5.2019 by [S.S.I. 2018/153](#), [art. 2](#), [sch.](#) (with [art. 9](#))

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2016/412, art. 3(1)
(a) by [S.S.I. 2017/330 art. 2](#)
- specified provision(s) amendment to earlier commencing SSI 2015/272 Sch. by
[S.S.I. 2015/349 art. 2\(2\)](#)