



Housing (Scotland) Act 2014

2014 asp 14

PART 6

PRIVATE HOUSING CONDITIONS

91 Repayment charges: recovery of repayable amount

(1) In section 172 of the 2006 Act (repayment charges)—

(a) in subsection (1)—

(i) the word “and” immediately preceding paragraph (b) is repealed, and

(ii) after paragraph (b), insert—

“(c) providing that the repayable amount is payable in the number of equal annual instalments and on the date in each year determined under subsection (3)(a),

(d) providing that in default of such payment each instalment, together with any amount recoverable in respect of that instalment under subsection (6A), is to be separately recoverable as a debt, and

(e) providing that if immediately after the final instalment falls due any balance of the repayable amount remains unpaid, that balance is immediately due for repayment and is recoverable as a debt.”,

(b) for subsection (3), substitute—

“(3) The local authority must—

(a) determine—

(i) the number of equal annual instalments, being no fewer than 5 and no more than 30, in which the repayable amount is to be paid, and

(ii) the date in each year on which the instalment becomes due, and

(b) notify the owner of its determination under paragraph (a).” ,
and

(c) after subsection (4), insert—

Changes to legislation: Housing (Scotland) Act 2014, Section 91 is up to date with all changes known to be in force on or before 27 May 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

“(4A) The owner of a property who is liable for the repayable amount does not, by virtue only of ceasing to be such an owner, cease to be liable for the repayable amount.”.

(2) After section 172 of the 2006 Act, insert—

“172A Repayment charge: appeals to the sheriff

- (1) A person aggrieved by a determination under section 172(3)(a)(i) may appeal to the sheriff.
- (2) On an appeal under this section the sheriff may make such order relating to the number of annual instalments as the sheriff thinks fit.
- (3) The decision of the sheriff on appeal under this section is final.”.

Commencement Information

II S. 91 in force at 1.4.2015 by S.S.I. 2015/122, art. 2(1)(2)(e)

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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\(2\)](#)