
Changes to legislation: There are currently no known outstanding effects for the Rent (Scotland) Act 1984, Cross Heading: Procedure on applications to rent officer. (See end of Document for details)

SCHEDULES

SCHEDULE 5

APPLICATIONS FOR REGISTRATION OF RENTS

PART II

APPLICATIONS SUPPORTED BY CERTIFICATE OF FAIR RENT

Procedure on applications to rent officer

- 11 (1) On receiving an application for the registration of a rent which is made as mentioned in section 47(4) above, the rent officer shall ascertain whether the works specified in the certificate of fair rent have been carried out in accordance with the plans and specifications which accompanied the application for the certificate or, as the case may be, whether—
- (a) the condition of the dwelling-house is the same as at the date of the certificate, and
 - (b) if any furniture is or is to be provided for use under a regulated tenancy of the dwelling-house, the quantity, quality and condition of the furniture in the dwelling-house accord with the prescribed particulars contained in the application for the certificate.
- (2) If the rent officer is satisfied that the works have been so carried out or, as the case may be, that—
- (a) the dwelling-house is in the same condition as at the date of the certificate, and
 - (b) if any furniture is or is to be provided for use under a regulated tenancy of the dwelling-house, the quantity, quality and condition of the furniture in the dwelling-house accord with the prescribed particulars contained in the application for the certificate,
- he shall register the rent in accordance with the certificate.
- (3) If the rent officer is not satisfied as mentioned in sub-paragraph (2) above, he shall serve on the applicant a notice stating the matters with respect to which he is not so satisfied and informing him that if, within 14 days from the service of the notice or such longer period as the rent officer or [^{F1}the First-tier Tribunal] may allow, the applicant makes a request in writing to that effect, the rent officer will refer the matter to [^{F1}the First-tier Tribunal].

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Textual Amendments

- F1** Words in Sch. 5 para. 11(3) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\), reg. 1\(2\), sch. 2 para. 1\(28\)\(g\)](#) (with sch. 1)

- 12 If such a request as is mentioned in paragraph 11(3) above is made, then—
- (a) if it is made within the period of 14 days specified in that paragraph or [^{F2}the First-tier Tribunal] so [^{F3}directs], the rent officer shall refer the matter to [^{F2}the First-tier Tribunal];
 - (b) if it is made after the expiry of that period, the rent officer may either refer the matter to [^{F2}the First-tier Tribunal] or seek the directions of [^{F2}the First-tier Tribunal] whether so to refer it

Textual Amendments

- F2** Words in Sch. 5 para. 12 substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\), reg. 1\(2\), sch. 2 para. 1\(28\)\(h\)\(i\)](#) (with sch. 1)
- F3** Word in Sch. 5 para. 12(a) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\), reg. 1\(2\), sch. 2 para. 1\(28\)\(h\)\(ii\)](#) (with sch. 1)

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