



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART II

HOMELESS PERSONS

Duties of local authorities with respect to homelessness and threatened homelessness

[^{F1}35A Right to request review of decision

- (1) Where an applicant requests a review of a decision to which subsection (2) applies, the local authority concerned shall review the decision.
- (2) This subsection applies to the following decisions of a local authority—
 - (a) any decision as to what duty (if any) is owed to the applicant under section 31 or 32,
 - (b) any decision to notify another authority under section 33(1),
 - (c) any determination under section 33(4) or 34(2) as to whether the conditions for referral of an application are satisfied,
 - (d) where accommodation is secured for the applicant under section 31, 32 or 34, any decision as to whether the provision of that accommodation discharges the authority's duty to the applicant under that section.
 - ^{F2}(e) [in a case where a private accommodation offer is made to the applicant, any decision—
 - (i) that the accommodation offered is not accommodation falling within section 32(5)(a) to (c), or
 - (ii) that the authority have discharged their duty to the applicant under section 32(8).]
- (3) A request for a review shall be made before the end of the period of 21 days beginning with the day on which the applicant is notified of the decision or such longer period as the authority may allow.
- (4) There is no right to request a review of a decision reached on review.]

Changes to legislation: *Housing (Scotland) Act 1987, Section 35A is up to date with all changes known to be in force on or before 06 May 2024. 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*

Textual Amendments

- F1** S. 35A inserted (1.4.2002) by [2001 asp 10, s. 4\(4\)](#); [S.S.I. 2002/168, art. 2](#), [Sch.](#) (with transitional provisions and savings in [art. 3](#))
- F2** S. 35A(2)(e) inserted (2.3.2009 for specified purposes) by [Housing and Regeneration Act 2008 \(c. 17\), s. 325\(1\)](#), [Sch. 15 para. 15](#); [S.I. 2009/415, art. 3](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)