



Housing (Scotland) Act 2006

2006 asp 1

PART 1 **S**

HOUSING STANDARDS

CHAPTER 6 **S**

MAINTENANCE

Maintenance orders

42 Maintenance orders **S**

- (1) The local authority may by order (a “maintenance order”) require the owner of a house to prepare a plan (a “maintenance plan”) for securing the maintenance of the house to a reasonable standard over such period not exceeding 5 years as may be specified in the order.
- (2) A maintenance order may be made only if^{F1}...—
 - ^{F2}(za) a work notice has been served in relation to the house and no certificate has been granted under section 60 in relation to the work required by that notice,
 - (a) [^{F3}the local authority considers] that any benefit arising from work carried out in pursuance of a work notice or a repairing standard enforcement order has been reduced or lost because of a lack of maintenance, or
 - (b) [^{F4}the local authority considers] that the house has not been, or is unlikely to be, maintained to a reasonable standard.
- (3) A maintenance order must require the owner of the house concerned to submit the maintenance plan, by such date as may be specified in the order, to the local authority for approval.

Textual Amendments

- F1** Words in s. 42(2) repealed (1.4.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 88(a)**, 104(3); [S.S.I. 2015/122](#), **art. 2**

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross Heading: Maintenance orders. (See end of Document for details)

- F2** S. 42(2)(za) inserted (1.4.2015) by Housing (Scotland) Act 2014 (asp 14), **ss. 88(b)**, 104(3); S.S.I. 2015/122, art. 2
- F3** Words in s. 42(2)(a) inserted (1.4.2015) by Housing (Scotland) Act 2014 (asp 14), **ss. 88(c)**, 104(3); S.S.I. 2015/122, art. 2
- F4** Words in s. 42(2)(b) inserted (1.4.2015) by Housing (Scotland) Act 2014 (asp 14), **ss. 88(c)**, 104(3); S.S.I. 2015/122, art. 2

Commencement Information

- I1** S. 42 in force at 1.4.2009 by S.S.I. 2009/122, **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Cross
Heading: Maintenance orders.