



Housing (Scotland) Act 2006

2006 asp 1

PART 5

LICENSING OF HOUSES IN MULTIPLE OCCUPATION

General and supplementary

164 Joint licence holders

- (1) Where living accommodation is owned jointly by two or more persons, an application for an HMO licence for the living accommodation may be made by—
 - (a) any one of those owners, or
 - (b) any two or more of those owners jointly,and references in this Part to an “applicant” or a “licence holder” are to be construed accordingly.
- (2) Where one or more (but not all) of the joint licence holders ceases to be an owner of the living accommodation concerned, the HMO licence is to be treated as having been granted to any licence holder who remains an owner.
- (3) Where one or more (but not all) of the joint licence holders applies to the local authority to be removed as licence holders, the local authority must—
 - (a) vary the HMO licence accordingly, and
 - (b) serve notice of that variation on—
 - (i) the persons removed as licence holders,
 - (ii) the remaining licence holder,
 - (iii) the [^{F1}enforcing] authority, and
 - (iv) the chief constable,within 7 days of the variation.
- (4) A variation under subsection (3) has effect from the day on which notice of the variation is served on the remaining licence holder.

*Changes to legislation: There are currently no known outstanding effects for the
Housing (Scotland) Act 2006, Section 164. (See end of Document for details)*

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Textual Amendments

- F1** Words in s. 164(3)(b)(iii) substituted (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 2(1), **Sch. 1 para. 17(2)(3)(d)**
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Commencement Information

- I1** S. 164 in force at 31.8.2011 by [S.S.I. 2010/159](#), **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 164.