



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 7

#### REPAYMENT CHARGES

#### [<sup>F1</sup>174A Repayment charges: registered social landlords

- (1) The Scottish Ministers may by regulations make provision allowing a registered social landlord to make in favour of itself a charge to recover a sum which—
  - (a) the registered social landlord is entitled to recover from an owner of a flat in a tenement, and
  - (b) represents the owner's share of scheme costs as determined in accordance with section 4A(3) of the 2004 Act.
- (2) Regulations under subsection (1) may, in particular—
  - (a) apply (with or without modifications), or make provision similar to, any provision of or made under this Part,
  - (b) prescribe conditions which must apply before a charge can be made in relation to a sum mentioned in subsection (1), including conditions relating to—
    - (i) the registered social landlord which may make a charge,
    - (ii) the circumstances leading to the sum becoming recoverable by the registered social landlord,
  - (c) modify the Tenement Management Scheme or its operation,
  - (d) make provision about rights of appeal which apply in relation to—
    - (i) the decision to impose a charge,
    - (ii) the terms of the charge.
- (3) Before making regulations under subsection (1), the Scottish Ministers must consult—
  - (a) such bodies representing local authorities,
  - (b) such bodies representing registered social landlords,
  - (c) such other persons,as they think fit.
- (4) Regulations under subsection (1) may modify any enactment (including this Act).
- (5) In this section—

---

*Status: Point in time view as at 01/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 174A. (See end of Document for details)*

---

“ owner of a flat in a tenement ” is to be construed in accordance with the definition of “owner” in section 28 of the 2004 Act,

“ registered social landlord ” means a body registered in the register maintained under section 20(1) of the Housing (Scotland) Act 2010 (asp 17),

“ Tenement Management Scheme ” has the same meaning as in the 2004 Act, and “ the 2004 Act ” means the Tenements (Scotland) Act 2004 (asp 11). ]

---

#### **Textual Amendments**

- F1** S. 174A inserted (20.11.2014) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 85(3), 104(3)**; [S.S.I. 2014/264](#), **art. 2, Sch.**

**Status:**

Point in time view as at 01/04/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 174A.