



Housing (Scotland) Act 2006

2006 asp 1

PART 1

HOUSING STANDARDS

CHAPTER 6

MAINTENANCE

Maintenance plans

46 Approval of maintenance plans

- (1) The local authority may—
- (a) approve a maintenance plan submitted to it, with or without modifications,
 - (b) reject a maintenance plan and—
 - (i) make another maintenance order requiring the preparation of another maintenance plan, or
 - (ii) substitute a maintenance plan of its own devising in its place, or
 - (c) where a maintenance plan is not submitted by the date specified in a maintenance order, devise a maintenance plan for the house concerned.
- (2) The local authority may approve a maintenance plan only if it is satisfied—
- (a) that the plan complies with section 43 and, if relevant, sections 44(2) and 45(2), and
 - (b) that implementation of the plan will secure the maintenance of the house concerned to a reasonable standard,
- and the local authority must be satisfied that any maintenance plan it devises complies with those provisions and that implementation of it will have that effect.
- (3) The local authority may not approve a maintenance plan which relates to three or more houses unless the owners of the majority of those houses have confirmed to the authority that they are content with the plan submitted for approval.

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 46. (See end of Document for details)

- (4) The local authority must serve notice of its decision under subsection (1) in accordance with section 62.
- (5) A copy of the plan approved (or, as the case may be, devised under paragraph (b)(ii) or (c) of subsection (1)) must be attached to that notice.
- (6) The maintenance order to which a decision under subsection (1) relates ceases to have effect on the date on which notice of the decision is served on the owner of the house concerned.

Commencement Information

II S. 46 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, Section 46.