



Housing (Scotland) Act 2006

2006 asp 1

PART 1

HOUSING STANDARDS

CHAPTER 8

SUPPLEMENTAL PROVISIONS, INCLUDING APPEALS

Supplemental

59 Recovery of expenses etc.

- (1) The local authority may recover any—
 - (a) expenses it incurs in carrying out any work authorised by section 35,
 - [^{F1}(aa) expenses it incurs in pursuance of—
 - (i) devising a maintenance plan under 46(1)(b)(ii) or (c), or
 - (ii) varying a maintenance plan under section 47(1),]
 - (b) expenses it incurs in pursuance of section 49(1), or
 - (c) payments made under section 50(3),from the owner of the house concerned.
- (2) The local authority may recover any expenses it incurs in carrying out any work authorised by section 36 from the landlord concerned.
- (3) Subsections (1) and (2) entitle the local authority to recover—
 - (a) any administrative expenses incurred by it in connection with the act to which the expenses relate or, as the case may be, with the making of the payment, and
 - (b) interest, at such reasonable rate as it may determine, from the date when a demand for payment is served until the whole amount is paid.
- (4) The local authority may declare any sums recoverable under this section to be payable by instalments.

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 59. (See end of Document for details)

- (5) Notice of any such declaration must be served on the person from whom the sums are recoverable.
- (6) A local authority is not, despite the generality of subsection (1)(a), entitled to recover any expenses incurred in demolishing a house it has acquired under section 40.

Textual Amendments

- F1** S. 59(1)(aa) inserted (1.3.2011) by [Housing \(Scotland\) Act 2010 \(asp 17\)](#), **ss. 150(2)**, 166(2); S.S.I. 2011/96, art. 2, Sch.

Commencement Information

- I1** S. 59 partly in force; s. 59 not in force at Royal Assent see s. 195; s. 59(2)-(5) in force at 3.9.2007 by [S.S.I. 2007/270](#), {art. 3 Table}
- I2** S. 59(1)(6) 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 59.