



Housing (Scotland) Act 2006

2006 asp 1

PART 1

HOUSING STANDARDS

CHAPTER 8

SUPPLEMENTAL PROVISIONS, INCLUDING APPEALS

Appeals

66 Part 1 appeals: procedure etc.

- (1) An appeal under [^{F1}section 64(1) or (6)] is to be made by summary application.
- (2) No question may be raised on an appeal under section 64(1)(c)(i), (d)(i) or (g) (or on a subsequent appeal to the sheriff principal) which might have been raised on an appeal against the decision to make the work notice or demolition notice to which the appeal relates.
- (3) No question may be raised on an appeal under subsection (1)(c)(ii) or (d)(ii), or subsection (4)(d), (e) or (f), of section 64 which might have been raised on an appeal against the decision under section 24(1) in consequence of which the repairing standard enforcement order to which the appeal relates was made.

[^{F2}(3A) In an appeal by a landlord under section 64(4) which relates to a decision following an application under section 22(1A)—

- (a) the third party applicant is to be a party to the proceedings,
- (b) the tenant is entitled to be a party to the proceedings.

(3B) In an appeal by a tenant under section 64(4) which relates to a decision following an application under section 22(1A), the landlord and the third party applicant are to be parties to the proceedings.

(3C) In an appeal by a third party applicant under section 64(4A)—

- (a) the landlord is to be a party to the proceedings,

Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 66. (See end of Document for details)

- (b) the tenant is entitled to be a party to the proceedings.]
- (4) The sheriff may make such order about the expenses of an appeal under [F3section 64(1) or (6)] as the sheriff thinks fit (and the sheriff principal may make such an order in relation to any subsequent appeal).

Textual Amendments

- F1** Words in s. 66(1) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\)](#), reg. 1(2), **sch. 2 para. 6(16)(a)** (with sch. 1)
- F2** S. 66(3A)-(3C) inserted (1.12.2015) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 27(3)**, 104(3); S.S.I. 2015/272, art. 2, sch.
- F3** Words in s. 66(4) substituted (1.12.2016) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Committees\) Regulations 2016 \(S.S.I. 2016/337\)](#), reg. 1(2), **sch. 2 para. 6(16)(b)** (with sch. 1)

Commencement Information

- I1** S. 66 wholly in force at 3.9.2007; s. 66 not in force at Royal Assent see s. 195(3); s. 66(1)(4) in force for certain purposes at 4.12.2006 by [S.S.I. 2006/395](#), **art. 2**; s. 66 in force at 3.9.2007 by [S.S.I. 2007/270](#), {art. 3 Table}

Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 66.