



Housing (Scotland) Act 2006

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PART 3

PROVISION OF INFORMATION ON SALE OF HOUSE

Duty to have or provide information about houses on the market

99 Duty to provide information to potential buyer

- (1) A person who is responsible for marketing a house which is on the market must comply with any request by a potential buyer for a copy of any or all of the prescribed documents in relation to the house.
- (2) Such a request must be complied with within such period as the Scottish Ministers may by regulations specify (“the permitted period”).
- (3) The duty under subsection (1) does not apply if the person responsible for marketing the house reasonably believes that the person making the request—
 - (a) is unlikely to have sufficient means to buy the house in question,
 - (b) is not genuinely interested in buying the house, or
 - (c) is not a person to whom the seller is likely to be prepared to sell the house.
- (4) Nothing in subsection (3) authorises the doing of anything which is an unlawful act of discrimination.
- (5) Subsection (3) does not apply if the person responsible for marketing the house knows or suspects that the person making the request is an officer of an enforcement authority.
- (6) The person responsible for marketing the house may charge a sum not exceeding the reasonable cost of making and, if requested, sending a paper copy of any prescribed documents requested under subsection (1).
- (7) If the person responsible for marketing the house ceases to be so responsible before the end of the permitted period (whether because the house has been sold, taken off the market or for any other reason), that person ceases to be under any duty to comply with a request made under subsection (1).

Status: This is the original version (as it was originally enacted).

- (8) A person does not comply with the duty under subsection (1) by providing a copy in electronic form unless the potential buyer consents in writing to receiving it in that form.