



Housing (Scotland) Act 2010

2010 asp 17

PART 10

SPECIAL PROCEDURE FOR DISPOSALS AND RESTRUCTURING RESULTING IN CHANGE OF LANDLORD

CHAPTER 1

DISPOSALS BY A REGISTERED SOCIAL LANDLORD

116 Regulator's consent

- (1) Following consultation under section 115, the Regulator may—
 - (a) refuse consent to the disposal, or
 - (b) consent to the disposal, subject to tenant authorisation.
- (2) Tenant authorisation is given when—
 - (a) the Regulator—
 - (i) directs the registered social landlord to conduct a ballot under section 118, or
 - (ii) directs the registered social landlord to seek the written agreement of tenants in accordance with section 119, and
 - (b) the outcome is approved by the Regulator under section 121.
- (3) The Regulator when making its decision under subsection (1)—
 - (a) must have regard to the results of the consultation under section 115, and
 - (b) may have regard to any other information available to it.
- (4) Where the disposal is to a person other than a registered social landlord, the Regulator must not consent unless it is satisfied that a disposal to a registered social landlord is not appropriate.
- (5) A consent under this section may be subject to such conditions as the Regulator thinks fit.

Status: *This is the original version (as it was originally enacted).*

- (6) Nothing in section 121 affects the Regulator’s general discretion to refuse consent to a disposal under this section on grounds relating to whether a disposal is supported by tenants.