



Housing (Scotland) Act 2014

2014 asp 14

PART 3

PRIVATE RENTED HOUSING

Enforcement of repairing standard

26 Procedure for third party applications

- (1) In paragraph 1 of schedule 2 to the 2006 Act (notification)—
- (a) in sub-paragraph (1), for “a tenant’s application” substitute “an application”,
 - (b) in sub-paragraph (2), for “either party” substitute “the landlord or the tenant”,
 - (c) in sub-paragraph (3), for “both parties” substitute “the landlord and the tenant”, and
 - (d) after sub-paragraph (3), insert—
 - “(4) In the case of an application under section 22(1A), the committee must, in addition to carrying out the matters mentioned in sub-paragraphs (1) to (3)—
 - (a) serve on the third party applicant a notice containing the matters mentioned in sub-paragraph (1)(a) to (c),
 - (b) if the committee thinks fit following a request of the third party applicant, change the day specified for the purposes of sub-paragraph (1)(c),
 - (c) notify—
 - (i) the third party applicant of any change under sub-paragraph (2)(b),
 - (ii) the landlord and the tenant of any change under paragraph (b).”.
- (2) In paragraph 2 of schedule 2 to the 2006 Act (inquiries)—
- (a) in sub-paragraph (3)(a), for “or tenant” substitute “, the tenant or, as the case may be, third party applicant”,
 - (b) in sub-paragraph (3)(b), for “or tenant” substitute “, tenant or, as the case may be, third party applicant”,

Status: This is the original version (as it was originally enacted).

- (c) in sub-paragraph (4)(a), for “in the notice served under” substitute “in accordance with”, and
 - (d) in sub-paragraph (4)(b), for “in a notice served under paragraph 1(2)(b)” substitute “in accordance with paragraph 1(2)(b) or (4)(b)”.
- (3) In paragraph 3(1) of schedule 2 to the 2006 Act (evidence), after “tenant” insert “, third party applicant”.
- (4) In paragraph 5 of schedule 2 to the 2006 Act (expenses)—
- (a) after sub-paragraph (2)(b), insert—
 - “(ba) the third party applicant,”, and
 - (b) in sub-paragraph (2)(c), for “or tenant” substitute “, tenant or third party applicant”.
- (5) In paragraph 6 of schedule 2 to the 2006 Act (recording and notification of decisions)
- (a) in sub-paragraph (1)(a), for “a tenant’s” substitute “an”,
 - (b) the word “and” at the end of sub-paragraph (3)(c) is repealed, and
 - (c) for sub-paragraph (3)(d), substitute—
 - “(d) in the case of an application under section 22(1A), the third party applicant, and
 - (e) the local authority (unless the local authority is the third party applicant in relation to the decision).”.
- (6) After paragraph 7(1) of schedule 2 to the 2006 Act (withdrawal of application), insert—
- “(1A) A third party applicant may withdraw an application under section 22(1A) at any time.”.
- (7) In paragraph 8(1) of schedule 2 to the 2006 Act (further provision on procedure), after “22(1)” insert “and 22(1A)”.