

SCHEDULE 3

Mandatory licence conditions

Safety & repair standards

7.—(1) The holder of the licence must take all reasonable steps to ensure the accommodation is safe for residential use.

(2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2016, the holder of the licence must ensure that the premises meet the repairing standard.

(3) Where the premises are not subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2016, the holder of the licence must ensure that the accommodation meets the requirements in sub-paragraphs (4) to (6).

(4) The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of—

- (a) fire or suspected fire, and
- (b) carbon monoxide present in a concentration that is hazardous to health.

(5) Where there are electrical fittings or items in the accommodation, the holder of the licence must—

- (a) ensure that any electrical fittings and items are in—
 - (i) a reasonable state of repair, and
 - (ii) proper and safe working order,
- (b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,
- (c) ensure that following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
- (d) arrange for a competent person to—
 - (i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
 - (ii) date label and sign all moveable appliances which have been inspected.

(6) In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006⁽¹⁾.

(1) 2006 asp 1. Section 19B was inserted by section 23(2) of the Housing (Scotland) Act 2014 (asp 14).