
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 243

The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014

6. Article 5 does not apply where—
- (a) the local authority believes that the applicant may be homeless or threatened with homelessness as a result of an emergency, such as flood, fire or other disaster;
 - (b) the local authority has offered the applicant accommodation that meets the requirements of article 5, but the applicant wishes to be accommodated in other accommodation that does not meet those requirements;
 - (c) the accommodation is used wholly or mainly to provide temporary accommodation to persons who have left their homes as a result of domestic abuse and is managed by an organisation which—
 - (i) is not a public authority or a local authority; and
 - (ii) does not trade for profit; [^{F1}or]
 - (d) [^{F2}the local authority has secured that the accommodation has been made available] and services relating to health, child care or family welfare are provided to persons accommodated there[^{F3}; [^{F4}or]]
 - ^{F5}(e)
 - [^{F6}(f) a person in the household has symptoms of coronavirus and the household requires to isolate;
 - (g) the accommodation is required to provide temporary accommodation to ensure that a distance of 2 metres can be maintained between a member of the household and a person who is not a member of the household in order to prevent the spread of coronavirus;
 - (h) the following conditions are both satisfied—
 - (i) the local authority is unable to place the household in suitable accommodation as a result of the impacts of coronavirus on temporary accommodation supply in the area; and
 - (ii) the household does not include a dependent child or a pregnant woman; or
 - (i) the following conditions are all satisfied—
 - (i) the local authority is unable to place the household in suitable accommodation as a result of the impacts of coronavirus on temporary accommodation supply in the area;
 - (ii) the household includes either, or both, a dependent child or pregnant woman; and
 - (iii) the local authority provides the household with accommodation which does not meet the requirements of article 5 for no longer than 7 days in total in respect of that household's application.]

Textual Amendments

- F1** Word in art. 6(c)(ii) inserted (31.1.2021) by [The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) Amendment \(No. 2\) Order 2020 \(S.S.I. 2020/419\)](#), arts. 1, **2(5)(a)**
- F2** Words in art. 6(d) substituted (6.5.2020) by [The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) Amendment Order 2020 \(S.S.I. 2020/139\)](#), arts. 1(1), **2(6)(b)(i)**
- F3** Word in art. 6(d) substituted (6.5.2020) by [The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) Amendment Order 2020 \(S.S.I. 2020/139\)](#), arts. 1(1), **2(6)(b)(ii)**
- F4** Word in art. 6(d) omitted (temp.) (30.9.2020) by virtue of [The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) Amendment \(Coronavirus\) Order 2020 \(S.S.I. 2020/268\)](#), arts. 1(1), **3(1)(3)(a)** (with art. 1(2))
- F5** Art. 6(e) omitted (31.1.2021) by virtue of [The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) Amendment \(No. 2\) Order 2020 \(S.S.I. 2020/419\)](#), arts. 1, **2(5)(b)**
- F6** Art. 6(f)-(i) inserted (temp.) (30.9.2020) by virtue of [The Homeless Persons \(Unsuitable Accommodation\) \(Scotland\) Amendment \(Coronavirus\) Order 2020 \(S.S.I. 2020/268\)](#), arts. 1(1), **3(1)(3)(c)** (with art. 1(2))

Changes to legislation:

There are currently no known outstanding effects for the The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014, Section 6.