

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes supplemental provision modifying the Housing (Scotland) Act 2006 (“the 2006 Act”).

Section 16 of the 2006 Act sets out exceptions to the landlord’s duty to repair under section 14(1) of the 2006 Act. Article 2 modifies section 16 to clarify that, for the purposes of subsection (4) of that section, a landlord lacks the necessary rights to repair common parts pertaining to the house where there is no consent by a majority of the owners of those common parts.