



Housing (Scotland) Act 2001

2001 asp 10

PART 1

HOMELESSNESS AND ALLOCATION OF HOUSING

5 Duty of registered social landlord to provide accommodation

- (1) Where a local authority has a duty under section 31(2) (duty to persons found to be homeless) of the 1987 Act in relation to a homeless person, it may request a registered social landlord which holds houses for housing purposes in its area to provide accommodation for the person.
- (2) In deciding whether to make such a request, the local authority must have regard to the availability of appropriate accommodation in its area.
- (3) A registered social landlord must, within a reasonable period, comply with such a request unless it has a good reason for not doing so.
- (4) A registered social landlord complies with such a request only if it provides for the person concerned accommodation—
 - (a) where paragraph 1 or 2 of schedule 6 is satisfied, secured by a short Scottish secure tenancy,
 - (b) in that or any other case, secured by a Scottish secure tenancy.
- (5) Subsection (4) does not apply where such a request is expressly for the provision of accommodation not secured as mentioned in that subsection.
- (6) A registered social landlord which holds housing for housing purposes in a local authority's area must comply with any reasonable request for information in relation to that housing made to it by the authority in connection with the exercise of the authority's functions under this section.
- (7) The Scottish Ministers may issue guidance as to what constitutes—
 - (a) for the purposes of subsection (3)—
 - (i) a reasonable period,
 - (ii) a good reason,
 - (b) for the purposes of subsection (6), a reasonable request.

Status: This is the original version (as it was originally enacted).

- (8) Before issuing any such guidance, the Scottish Ministers must consult—
- (a) such associations representing local authorities,
 - (b) such associations representing registered social landlords, and
 - (c) such other persons,
- as they think fit.