



Housing (Scotland) Act 2001

2001 asp 10

PART 3

REGULATION OF SOCIAL LANDLORDS

CHAPTER 1

REGISTERED SOCIAL LANDLORDS

Housing management

69 Inspections

- (1) The Scottish Ministers may appoint a person to carry out an inspection of the management of the affairs of a registered social landlord in relation to the provision of housing accommodation and related services.
- (2) A person appointed to carry out an inspection under subsection (1) (an “inspector”) has a right of access at all reasonable times to—
 - (a) any premises of the registered social landlord, and
 - (b) any document relating to the landlord which appears to the inspector to be necessary for the purposes of the inspection.
- (3) An inspector may—
 - (a) require a person holding or accountable for any such document to provide the inspector with such information and explanation as the inspector thinks necessary,
 - (b) require that person to attend before the inspector in person to give the information or explanation or to produce the document.
- (4) The registered social landlord must provide an inspector with every facility and all information which the inspector may reasonably require for the purposes of the inspection.
- (5) An inspector must, if so required, produce written authorisation for the carrying out of the inspection.

Status: This is the original version (as it was originally enacted).

- (6) A person who fails, without reasonable excuse, to comply with a requirement of an inspector under this section is guilty of an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

70 Inspection reports

- (1) Where an inspection has been carried out under section 69, the Scottish Ministers must issue and publish a report and send a copy of it to the registered social landlord and any registered tenant organisation.
- (2) The report must identify any respects in which, as a result of the inspection, the management of the affairs of the registered social landlord in relation to the provision of housing accommodation and related services was found to be unsatisfactory.

71 Appointment of manager

- (1) Where the Scottish Ministers consider it necessary or expedient in order to ensure that the management of its affairs by a registered social landlord is of an appropriate standard (either generally or in relation to a particular matter), they may—
- (a) appoint a manager, or
 - (b) require the landlord to appoint a manager,
- to conduct the affairs of the landlord, or such of the affairs as the Scottish Ministers may specify.
- (2) A manager appointed under subsection (1)(a) or in pursuance of a requirement under subsection (1)(b)—
- (a) is to be appointed for such period and on such terms and conditions as the Scottish Ministers may determine,
 - (b) has, by virtue of the appointment, power generally to do all such things as are necessary for carrying out the manager's functions, and
 - (c) has such specific powers (which may include power to do anything which the landlord has power to do) as the Scottish Ministers may specify.
- (3) The remuneration and expenses of the manager are to be paid by the landlord.
- (4) The Scottish Ministers may give directions in relation to the carrying out of the manager's functions; and the manager must comply with any such direction.
- (5) In carrying out functions the manager acts as the landlord's agent; and the manager is not personally liable on a contract entered into as manager.
- (6) A person dealing with the manager in good faith and for value is not concerned to inquire whether the manager is acting within the powers conferred by virtue of this section.