



Housing (Scotland) Act 2014

2014 asp 14

PART 3

PRIVATE RENTED HOUSING

Transfer of sheriff's jurisdiction to First-tier Tribunal

18 Right to adapt rented houses

(1) After section 66 of the 2006 Act insert—

“66A Appeals in relation to section 52

- (1) A tenant aggrieved by a decision by a landlord—
 - (a) to impose any condition on a consent to carry out work in pursuance of section 52(2), or
 - (b) to refuse to consent to the carrying out of any such work,may appeal to the First-tier Tribunal within 6 months of being notified of that decision.
- (2) The First-tier Tribunal may, on cause shown, hear an appeal after the deadline set by subsection (1).
- (3) The First-tier Tribunal must, unless the Tribunal considers the condition or, as the case may be, refusal appealed against to be reasonable, determine an appeal under subsection (1) by quashing the decision and directing the landlord to withdraw the condition (or to vary it in such manner as the Tribunal may specify) or, as the case may be, to consent to the application (with or without such conditions as the Tribunal may specify).
- (4) In determining whether a condition or refusal appealed against under subsection (1) is reasonable, the First-tier Tribunal must, where the appeal relates to an application made for the purposes of section 52(2)(a), have regard to any code of practice issued by the Commission for Equality and Human Rights which relates to section 52 or 53.

Status: This is the original version (as it was originally enacted).

- (5) The First-tier Tribunal’s determination on an appeal under subsection (1) is final.”.
- (2) Part 3 of schedule 1 makes minor and consequential amendments.