



# Housing (Scotland) Act 2014

## 2014 asp 14

### PART 4

#### LETTING AGENTS

##### *General*

#### **61 Meaning of letting agency work**

- (1) For the purposes of this Part, “letting agency work” means things done by a person in the course of that person's business in response to relevant instructions which are—
- (a) carried out with a view to a landlord who is a relevant person entering into, or seeking to enter into a lease or occupancy arrangement by virtue of which an unconnected person may use the landlord's house as a dwelling, or
  - (b) for the purpose of managing a house (including in particular collecting rent, inspecting the house and making arrangements for the repair, maintenance, improvement or insurance of the house) which is, or is to be, subject to a lease or arrangement mentioned in paragraph (a).
- (2) In subsection (1)—
- (a) “relevant instructions” are instructions received from a person in relation to the house which is, or is to be, subject to a lease or arrangement mentioned in subsection (1)(a), and
  - (b) “occupancy arrangement”, “unconnected person”, “relevant person” and “use as a dwelling” are to be construed in accordance with section 101 of the 2004 Act.
- (3) The Scottish Ministers may by order—
- (a) provide that “letting agency work” does not include things done—
    - (i) on behalf of a specified body, or
    - (ii) for the purpose of a scheme of a specified description, or
  - (b) otherwise modify the meaning of “letting agency work” for the time being in this section.
- (4) A scheme falling within a description specified by the Scottish Ministers under subsection (3)(a)(ii) must be—

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**Changes to legislation:** *Housing (Scotland) Act 2014, Section 61 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) operated by a body which does not carry on the scheme for profit, and
- (b) for the purpose of assisting persons to enter into leases or occupancy agreements.

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**Commencement Information**

**II** S. 61 in force at 20.11.2014 by S.S.I. 2014/264, art. 2, Sch.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2016/412, art. 3(1) (a) by [S.S.I. 2017/330 art. 2](#)
- specified provision(s) amendment to earlier commencing SSI 2015/272 Sch. by [S.S.I. 2015/349 art. 2\(2\)](#)