
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 301

The Registered Social Landlords (Repayment Charges) (Scotland) Regulations 2018

Repayment charges

2.—(1) Subject to paragraph (2), a registered social landlord may make in favour of itself a charge (“a repayment charge”) to recover a sum which—

- (a) the registered social landlord is entitled to recover from an owner of a flat in a tenement; and
- (b) represents the owner’s share of scheme costs as determined in accordance with section 4A(3) of the 2004 Act.

(2) Paragraph (1) applies only where—

- (a) the registered social landlord—
 - (i) is the owner of at least one flat in the tenement; and
 - (ii) has paid an owner’s share of scheme costs by enforcing a scheme decision under rule 8.3 (enforceability of scheme decisions) of schedule 1 of the 2004 Act; and
- (b) the scheme costs are incurred as a result of a scheme decision in relation to any matter mentioned in rule 3.1 (basic scheme decisions) of schedule 1 of the 2004 Act, except costs for a common policy of insurance mentioned in rule 3.1(e).