

SCHEDULE

Regulation 2

PART 1

Fees

1. Unless any exemptions or discounts apply, the fee charged for registration under section 83(1) of the 2004 Act comprises—

- (a) a principal fee of £65 (“the principal fee”),
- (b) a property fee of £15 for each house in terms of section 83(1)(b) of the 2004 Act (“the property fee”), and
- (c) where the applicant has specified another person under section 83(1)(c) of the 2004 Act, a fee of £65 (“the agent fee”) in addition to the principal fee.

2. An additional fee up to a maximum of £130 is charged where the local authority has issued 2 separate requests for—

- (a) an application for registration to be made under section 83(1),
- (b) a notice of change of information under section 87(2), or
- (c) a notice of the appointment of an agent under section 88(2),
of the 2004 Act.

3. Where a registered person gives notice of a change of information under section 87(2) of the 2004 Act which includes information in terms of section 83(1)(b) relating to a house which is not already entered in the register maintained under section 82(1) of the 2004 Act, the fee charged is the property fee.

4. Subject to paragraph 8, where a registered person gives notice under section 88(2) of the 2004 Act of the appointment of an agent then, unless no fee is payable in terms of subsection (2B) of that section, the fee charged is the agent fee.

Exemptions

5. Where the application is submitted by a body entered in the Scottish Charity Register kept under section 3 of the Charities and Trustee Investment (Scotland) Act 2005(1), no principal fee or property fee is due.

6. Where the application is submitted by a person who is the holder of a current HMO licence issued by the authority to which the application is submitted, no principal fee is due and no property fee is due in respect of any house which is included in that licence.

7. Where the application is submitted by a joint owner of the house, who is not the lead owner of it, no principal fee or property fee is due.

8. The agent fee is not due if the agent—

- (a) is already registered under section 84 of the 2004 Act by the local authority to which the application is submitted,
- (b) has made a valid application under section 83(1) of the 2004 Act to be registered by that authority,

(1) 2005 asp 10.

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- (c) would be exempt, as provided by paragraph 5 or 6, from payment of a principal fee if that person were the applicant,
- (d) is a local authority or a body registered as a social landlord in terms of section 20(1) of the Housing (Scotland) Act 2010,
- (e) is entered in the register of letting agents kept under section 29 of the Housing (Scotland) Act 2014⁽²⁾, or
- (f) has made a valid application under section 29 of the Housing (Scotland) Act 2014.

9. Where a registered person gives notice of a change in information under section 87(2) of the 2004 Act which is not information to which paragraph 3 applies, no principal fee is due.

Discounts

10. An applicant who requires to pay the principal fee may claim either (but not both) of the following discounts—

- (a) where an application is made to more than one local authority at the same time, using the internet-based application system, 50% of the principal fee in each case, or
- (b) where an application is made to a local authority, using the internet-based application system and the applicant is currently registered by another local authority or has submitted an application to another local authority and has not been notified of a decision on it, 50% of the principal fee.

11. An applicant who requires to pay the agent fee may claim either (but not both) of the following discounts—

- (a) where the specified person acts for the applicant in respect of houses in more than one local authority area and the application is made to more than one local authority at the same time using the internet-based application system, 50% of the agent fee in each case, or
- (b) where the specified person is registered by a local authority other than that to which the application is submitted, or has submitted an application to such a local authority and has not been notified of a decision on it, 50% of the agent fee.

(2) 2014 asp 14.