



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART V

REPAIR OF HOUSES

Repair notices

109 Recovery by local authority of expenses under s.108.

- (1) Subject to the provisions of this section, any expenses incurred by a local authority under section 108(3), together with interest from the date when a demand for the expenses is served until payment, may be recovered by the authority from—
 - (a) the person having control of the house, or
 - (b) if he receives the rent of the house as trustee, tutor, curator, factor or agent for or of some other person, from him or from that other person, or in part from him and in part from that other person.
- (2) A local authority may apportion any such expenses among the persons having control of the houses and other premises comprised in the building.
- (3) The local authority may by order declare any such expenses to be payable by weekly, monthly, half-yearly or annual instalments within a period not exceeding 30 years with interest from the date of the service of the demand until the whole amount is paid, and any such instalments and interest, or any part thereof, may be recovered from any owner or occupier of the house, and, if recovered from an occupier, may be deducted by him from the rent of the house.
- (4) Any interest payable under subsection (1) or subsection (3) of this section shall be at such reasonable rate as the local authority may determine.
- (5) The provisions of Schedule 9 shall have effect for the purpose of enabling a local authority to make a charging order in respect of any expenses incurred by them under section 108(3) in relation to a house or building.

Status: Point in time view as at 28/11/2004. This version of this provision has been superseded.

Changes to legislation: *Housing (Scotland) Act 1987, Section 109 is up to date with all changes known to be in force on or before 10 June 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)*

Modifications etc. (not altering text)

C1 S. 109 modified (27.8.1993) by 1993 c. 11, ss. 62(2)(c), 68(2).

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