



ABERDEEN
CITY COUNCIL

Housing Legislation



Housing related legislation has been considered when producing the local housing strategy which includes:

Key Priority	Legislation	Impact on the LHS
All	Housing (Scotland) Act 2001	This piece of legislation places a statutory requirement on local authorities to produce a local housing strategy. The strategy must be supported by an assessment of housing provision and related services and it must be submitted to Scottish Ministers. The strategy must be kept under review. It also ensures that key stakeholders are consulted on the content of the strategy.
Housing Supply	Housing (Scotland) Act 2001	Places a statutory duty on local authorities to develop Local Housing Strategies, informed by an assessment of housing need and demand in their area.
	Scottish Planning Policy 2014	Policy states that a Strategic Housing Investment Plan for affordable housing investment should be linked to the Local Housing Strategy.
Homelessness	Housing (Homeless Persons) Act 1977	Places a statutory duty on local authorities to those that are homeless or threatened with homelessness.
	Housing (Scotland) Act 2001	Makes amendments to homeless legislation. Introduces a new statutory procedure where local authorities can request that a registered social landlord provide a home to that applicant.
	The Homeless Person's Interim Accommodation (Scotland) Regulations 2002	Legislation relating to a local authority's duty to provide temporary accommodation and not permanent accommodation under certain circumstances.
	Homelessness (Scotland) Act 2003	Makes further provisions about homelessness; to provide for the giving of notice to local authorities of proceedings for possession and enforcement of standard securities; to amend section 18 of the Housing (Scotland) Act 1988 in relation to recovery of possession of assured tenancies for non-payment of rent; and for connected purposes.

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Homelessness (continued)	The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2004	Prohibits the use of bed and breakfast accommodation for families with children, except in specific circumstances.
	Prevention of Homelessness Guidance 2009	Assess extent and nature of Homelessness and produce a strategy to prevent and alleviate homelessness.
	Housing Support Services (Homelessness) (Scotland) Regulations 2012	A duty for local authorities to conduct a housing support assessment for applicants who are unintentionally homeless or threatened with homelessness and that they have 'reason to believe' need the housing support services prescribed in regulations.
	Housing (Scotland) Act 2014	Ending of Right To Buy policy to keep housing in the social sector. Extra powers to repossess property designed for special needs clients. Social landlords can now consider home ownership for applicants for housing. Provide common housing register/ maintain housing list/create Scottish Secure Tenancies.
Independent Living & Specialist Provision	Chronically Sick and Disabled Persons (Scotland) Act 1972	Establishes the principle that local authorities have a duty towards individuals who are potentially chronically sick or disabled or any person with a mental disorder, to make arrangements for various services, including equipment and adaptations.
	Public Bodies (Joint Working) (Scotland) Act 2014	Delegates housing functions to integrated health and social care partnership. In Aberdeen this includes housing support (excluding homelessness services), adaptations and garden maintenance for vulnerable people.
Private Rented Sector	Housing (Scotland) Act 1988	Introduced assured and short assured tenancy regime, tacit relocation and changes to notice to quit for tenancies in the private rented sector.
	The Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000	Mandatory licensing of HMO's.
	Antisocial Behaviour etc. (Scotland) Act 2004	Introduced regulation relating to private sector landlords.

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Private Rented Sector (continued)	Housing (Scotland) Act 2006	Introduced the Repairing Standard, HMO licensing regime, Tenancy Deposit Scheme regulatory framework, private landlord's right of access and right to adapt properties for private rented properties.
	The Housing (Scotland) Act 2014	Introduced a First-tier Tribunal to deal with disputes in the private rented sector. It also gives local authorities new discretionary powers to tackle disrepair in the private rented sector; introduces a new regulatory framework for letting agents in Scotland; modernises site licensing for mobile homes sites with permanent residents and places other new requirements on private sector landlords.
Fuel Poverty & Climate Change	Housing (Scotland) Act 2001	Established the commitment to eradicate fuel poverty by 2016.
	Climate Change (Scotland) Act 2009	Contribute to a reduction in greenhouse gas emissions with a target of a 42% reduction by 2020.
	Energy Efficiency Standard for Social Housing (2014)	Obligation to ensure houses meet the Energy Efficiency Standard for Social Housing by 2020.
House Condition	Housing (Scotland) Act 1987	Establishes landlord's identity requirement and serious disrepair regulation.
	Tenements (Scotland) Act 2004	Introduced provisions relating to owners of properties in tenements and established the tenement management scheme in relation to decision making for repairs and maintenance.
	Housing (Scotland) Act 2006	Introduced housing renewal areas, revised tolerable standard, work notices and maintenance orders in relation to private sector housing.
	Housing (Scotland) Act 2010	Modernises the regulation of the social rented sector by establishing the independent Scottish Housing Regulator, reforming the "Right to Buy" (RTB) scheme and improving local authority powers when dealing with disrepair in privately owned homes.