**Common Housing Quality Standard Forum**

**Topic Paper 7: Enforcement, funding and timescales for a common standard**

**Purpose**

1. This paper has been prepared to facilitate discussion by members of the Common Housing Quality Standard Forum on an issue relating to the development of a new cross-tenure housing standard for Scotland. This is the final paper in the series. This paper focusses on three issues:

* How the standard should be enforced,
* How the work needed to comply with a common standard should be paid for, and
* What timescale is needed to introduce a new standard?

**Common Housing Quality Standard**

1. The aim of the Common Housing Quality Standard Forum is to enable discussion with and between stakeholders on key issues affecting house condition to inform recommendations by the Scottish Government for a new common housing standard. Scottish Ministers will take account of the recommendations in considering whether to take forward a formal public consultation on a proposed common standard.

**Background**

1. In previous topic papers we have considered:

* Different elements that could be part of a standard (in three broad areas: essential fabric, safety and amenity),
* The complexity of existing standards and the benefits of more common ground between them – in particular we have considered whether there should be separate standards applying to all housing, to all rented housing and to housing in flats and tenements, and
* We have looked at the cost of works needed and whether some should be a higher priority than others.
* We have also looked at whether some elements should be included which are desirable or aspirational rather than mandatory.

**Emerging Issues**

1. We have suggested that some elements of a common standard should apply to rented homes but not necessarily to owner occupiers, who have more choice in matters affecting the condition of their home. This could mean a **common rented quality standard**, perhaps achieved through harmonisation of some or all of the existing housing quality standards for private and social rented housing.
2. There may be a need for a more prescriptive approach where owner occupiers share a building with other people. This could mean a **common parts and interest quality standard**, in which elements apply to all owners in tenements – whether owner-occupiers, private or social landlords or commercial businesses.
3. There may still be a need for some changes to the basic **tolerable standard** which applies to almost all homes, in order to cover some of the safety issues raised in the forum.
4. Concerns were raised in the stage 2 debate on the Land Reform (Scotland) Act 2016 on standards in agricultural tenancies, which are not currently covered by the standard applying to other private rented property.[[1]](#footnote-1)
5. Energy efficiency elements have not been covered in the papers for the common standard forum because a new Energy Efficiency Standard for Social Housing (EESSH) was published in 2014 with a first target for 2020, and Scottish Government is separately looking at the Regulation of Energy Efficiency in Private Sector housing (REEPS). In June 2015, the Scottish Government designated energy efficiency as a National Infrastructure Priority. The cornerstone of this will be Scotland’s Energy Efficiency Programme (SEEP) which will provide an offer of support to all buildings in Scotland – domestic and non-domestic – to improve their energy efficiency rating over a 15-20 year period. As part of SEEP, the Scottish Government will take forward standards and introduce regulatory frameworks to help make it the norm to invest in energy efficiency. We do think that there is a need for these standards to be able to converge, although this may have to be in the longer term because of the current differences between different tenures.

**A. Enforcement**

*Statutory duties of local authorities*

1. Local authorities have the following statutory duties relating to the condition of private sector housing –

* To ensure that all houses in their district which are below tolerable standard (BTS) are closed, demolished or brought up to the tolerable standard within a reasonable period,[[2]](#footnote-2)
* Prepare local housing strategies which include:[[3]](#footnote-3)
* ensuring compliance with the duty to close, demolish or improve houses which do not meet the tolerable standard,
* a policy for identifying parts of its area for designation as a housing renewal areas, and
* improving the condition of houses under the Scheme of Assistance, and
* Produce a statement setting out the help for home owners provided under the Scheme of Assistance.[[4]](#footnote-4)

1. In principle, this combination of duties should mean that local authorities collect evidence of the specific problems affecting housing in their area and implement policies to address any disrepair which is identified. However, the scale of repairs needed means that in most cases the duty to ensure that homes meet the tolerable standard is triggered reactively, through concerns raised by owners or neighbours, rather than by actively seeking property in need of repair. Even if enforcement powers are used, and the cost of work is recovered, local authorities need to fund the up-front cost of works. Consequently, private sector housing initiatives have to focus on relieving the worst conditions in private housing, particularly in the private rented sector. It is likely that additional resources will be required to enforce any new standard.
2. A local authority’s duty to address sub-standard housing is qualified by a provision that says that regard shall be had to alternative housing accommodation likely to be available for any persons who may be displaced from houses as a result of any action.[[5]](#footnote-5) This can leave people occupying housing that is technically unfit for human habitation due to pressures on alternative housing. With other changes to local authorities’ duty to provide accommodation for homeless people,[[6]](#footnote-6) there is a question whether this exception is still required, given that there is a general provision that action should be taken “within such period as is reasonable in all the circumstances”. Shelter Scotland take the view that a person could be considered homeless if their home is of a much poorer standard than most other housing in their area,[[7]](#footnote-7) and the EU Committee on Economic, Social and Cultural Rights recommends that adequate housing must be habitable, “in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors.”[[8]](#footnote-8)

*Enforcement powers of local authorities*

1. Local authorities have several statutory powers in different pieces of legislation to enforce work on substandard houses. There is significant overlap between these different enforcement powers. The following table lists statutory powers that allow local authorities to intervene to get owners of housing to carry out repair works. Local authority can carry out work themselves and recover their costs if owners do not comply with these powers. All these powers are discretionary and it is for the local authority to determine whether action should be taken in any particular case. Most of these powers allow local authorities to carry out work themselves if owners fail to comply with a notice or order and to recover their costs.

| **Power** | **Legislation** | **Scope of Power** |
| --- | --- | --- |
| Notice to rectify building in need of repair | Civic Government (Scotland) Act 1982 | The local authority may require the owner to rectify defects in order to bring the building into a reasonable state of repair. |
| Closing Order and Demolition Order | Housing (Scotland) Act 1987 | The local authority may prohibit the use of a house for human habitation if it is BTS, and may require demolition of a building which consists only of houses that are BTS. |
| Statutory Nuisance Abatement Notice | Environmental Protection Act 1990 | The local authority may require the execution of works needed to abate a statutory nuisance, which includes any premises in such a state as to be prejudicial to health or a nuisance. |
| Statutory Notice | City of Edinburgh District Council Order Confirmation Act 1991 | (Only applies in Edinburgh) the Council may require the owner of a building to execute any works necessary for securing, restoring or repairing it. |
| Defective Building Notice and Dangerous Building Notice | Building (Scotland) Act 2003 | The local authority may require the owner of a building to rectify defects to bring the building into a reasonable state of repair and may require the owner to carry out work (including demolition) on a building that appears to constitute a danger. |
| Missing Share | Tenements (Scotland) Act 2004 (inserted by the Housing (Scotland) Act 2014) | Where a majority of owners have agreed to carry out work under title deeds or the Tenement Management Scheme the local authority may pay a missing share on behalf of an owner who is unable or unwilling to pay their share of the costs. |
| Work Notice | Housing (Scotland) Act 2006 | The local authority may require the owner to carry out work in a housing renewal area or to repair any house which is sub‑standard. |
| Demolition Notice | Housing (Scotland) Act 2006 | The local authority may require the owner to demolish a house in a housing renewal area which is in serious disrepair. |
| Repairing Standard Enforcement Order | Housing (Scotland) Act 2006 | The Private Rented Housing Panel may notify the local authority that a private landlord is unable or has failed to comply with the repairing standard. |
| Maintenance Order | Housing (Scotland) Act 2006 | The local authority may require the owner to prepare a maintenance plan if  (1) lack of maintenance has reduced the benefit of work done under a work notice or repairing standard enforcement order,  (2) the house is unlikely to be maintained to a reasonable standard, or  (3) there is an outstanding work notice. |
| HMO Amenity Notice | Housing (Scotland) Act 2006 | The local authority may require the owner to carry out work to make a house in multiple occupation reasonably fit for habitation by the occupiers. |

1. Local authorities have the discretionary power in relation to council tax to remove the empty property discount or set an increase of 100% on property which has been empty for one year or more.[[9]](#footnote-9) With new tax raising powers under the Scotland Act 2016 there is a potential for new fiscal incentives to be developed in the future. An example might be for instance to create powers for local authorities to increase council tax liabilities where owners fail to make reasonable efforts to keep their property in good condition. This may be appropriate, for example, where substandard housing has an impact on people in other houses. This is by way of an example to prompt discussion only and is not an indication of Scottish Government policy.

*Enforcement powers of the Scottish Housing Regulator*

1. The Scottish Social Housing Charter requires social landlords to ensure that their houses comply with the Scottish Housing Quality Standard (SHQS). The Scottish Housing Regulator has a statutory role to monitor landlords’ performance against this target. The regulator reported that at April 2015 only 1.19% of social housing was non-compliant with the SHQS, though this includes homes that are exempt from any element of the standard for social or technical reasons. The regulator has powers to intervene if it is concerned that a landlord is failing to meet this performance standard:[[10]](#footnote-10)

* requiring a performance improvement plan,
* serving an enforcement notice,
* appointing a manager,
* removing a landlord's officers or agents, or
* acting to protect a landlord's assets.

1. However, in England and Wales similar powers of intervention, currently vested in local authorities, are being repealed following a decision by the Office of National Statistics to treat registered social landlords as part of the public sector for accounting purposes.[[11]](#footnote-11)

*Enforcement powers of the Private Rented Housing Panel*

1. Private tenants can apply to the Private Rented Housing Panel for assistance if landlords fail to carry out repairs that are needed to meet the repairing standard. The Panel can enforce repairs by issuing a repairing standard enforcement notice. It is a criminal offence to fail to carry out repairs required under a notice and the PRHP can enforce it by restricting rent and re-letting or by referring the case to the local authority to carry out work and recover costs from the owner.[[12]](#footnote-12)
2. However, relatively low numbers of tenants exercise their right to apply to the panel to enforce the repairing standard. In 2014 there were only 297 applications on repairs.[[13]](#footnote-13) Third party applications by local authorities and greater security for tenants are likely to increase the number of applications in the future.[[14]](#footnote-14)

*Duties and enforcement powers of owners*

1. Owners in tenements have a general duty to maintain any part of the building that provides support and shelter to any other part, and any owner has a right to enforce work that another owner should do to protect the common interest. Any owners can also enforce a majority decision made under the tenement management scheme. In practice this may mean paying for the work up-front and then recovering it either as a civil debt or by registering a notice of potential liability for costs in the land registers.[[15]](#footnote-15)
2. The Home Report includes a mandatory professional survey and a property questionnaire completed by the seller. One of the policy objectives of the Home Report was to improve property condition (the others were reducing multiple surveys and the problems of artificially low asking prices). The Home Report Review in 2015 concluded that it was difficult to determine how far this objective had been met. “Those on the 'front-line' of the industry were less likely to think this was the case and many felt that the Home Report had made no difference to property conditions, and probably would not make a difference in the future. This was because they thought that sellers would only make small, cheap improvements, and that repairs would be used as a bargaining chip for the price rather than be completed.”[[16]](#footnote-16) There are probably limits to how far changes to the Home Report, such as additional questions in the property questionnaire, would be useful as a lever for tackling disrepair, as there is no requirement to improve the property prior to sale, and communal condition issues would continue to require cooperation of all owners to complete.
3. We have also considered proposals from stakeholders for a statutory duty to have maintenance funds and regular condition surveys in tenements, or alternatively ways to encourage or incentivise them.[[17]](#footnote-17)
4. In some cases the problem is securing a majority decision of owners in the first place, even where work is essential. Particularly, if disrepair is only having an immediate impact on part of the building. Perhaps more can be done to ensure that outstanding works affecting the building as a whole or which could become common responsibility are flagged clearly when any house in a tenement is sold.. Another approach could be to presume consent if work is essential or add a qualification that in such cases must not be unreasonably withheld, similar to rules in housing legislation for other kinds of work.[[18]](#footnote-18)
5. Several estate agent firms now provide potential buyers with a summary of running costs for new homes based on average mortgage repayments, council tax and energy costs (based on the EPC modelling). They do not generally add an element for maintenance costs. As with energy use, actual costs will vary with behaviour of occupiers and external factors, but it might be possible to model average costs, assuming that the house is or is brought up to a reasonable condition, and to make this additional information available to potential buyers. This could build on existing research in housing maintenance costs in social sector, which suggests that age, height and location are key factors.[[19]](#footnote-19)

**B. Funding**

1. In 2002 the total cost of repairing, maintaining and improving housing in Scotland was estimated at more than £8 billion.[[20]](#footnote-20) Within this it was estimated that £5 billion was needed for owner occupied housing, £1 billion for private rented housing, and £2 billion for social housing. The actual cost of bring social housing up to the Scottish Housing Quality Standard between 2004 and 2015 was around £4 billion, suggesting that actual costs of outstanding work now would be double the 2002 estimate.[[21]](#footnote-21) Another factor is that the private rented sector has more than doubled in size between 2002 and 2014 (from 171,000 to 375,000 homes).[[22]](#footnote-22)

*Local authority grants*

1. From 1974 to 2009 a system of statutory grants provided assistance to home owners for improvements and repairs. These grants were awarded at the discretion of the local authority and usually restricted to 50% of the cost of the work and capped at £10,000. From 2001 a Test of Resources linked the amount of grant to financial circumstances.
2. Between 2003 and 2009, the Scottish Government provided a private sector housing grant (PSHG) to local authorities to meet costs associated with private sector housing functions (including both adaptations for disabled people and housing repairs). From 2010, the PHSG, along with other former ring-fenced grants was rolled up into general capital and revenue grant funding for local authorities.

|  |  |
| --- | --- |
| **Year** | **Total PSHG Allocation (£m)** |
| 2003-04 | 51.1 |
| 2004-05 | 77.4 |
| 2005-06 | 79.3 |
| 2006-07 | 89.1 |
| 2007-08 | 85.4 |
| 2008-09 | 67.3 |
| 2009-10 | 67.3 |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Grants paid to home owners for improvements etc. to private homes (£m)** | | | | |
| **Year** | **Improvements** | **Repairs** | **Other** a | **Total** b |
| 2005-06 | 15.5 | 31.9 | 0.26 | 47.6 |
| 2006-07 | 8.9 | 20.6 | 0.05 | 29.6 |
| 2007-08 | 9.5 | 28.1 | 0.03 | 37.7 |
| 2008-09 | 7.2 | 23.5 | 0.05 | 30.7 |
| 2009-10 | 7.6 | 16.2 | 0.00 | 23.8 |
| a Fire escapes and conversions  b Excludes grants for disabled adaptations | | | | |

1. Grants paid varied between local authority areas, but the number of grants paid was only a small percentage – across Scotland just 0.8% - of the number of private sector homes.

*Scheme of Assistance*

1. The Housing Improvement Task Force took the view that primary responsibility for maintaining and improving the condition of private sector housing rests with the owners.[[23]](#footnote-23) However, whilst most owners have the resources to maintain their homes, there is no doubt that some genuinely need help for a variety of reasons in order to carry out their maintenance and improvement responsibilities, and that there is a role for the public authorities in providing them with suitable assistance.
2. These recommendations were implemented in the Scheme of Assistance.[[24]](#footnote-24) Under the Scheme of Assistance there are no restrictions on awards of grants, and no test of resources for applicants, but any grant for home improvement or repair is at the discretion of the local authority.
3. The assistance provided since 2010 is summarised in the following table. This is a reduction in grant payments compared to previous years, but this was an expected part of the shift to alternative forms of assistance for most home owners.

**Assistance with improvements and repairs 2010-2015** [[25]](#footnote-25)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year** | **No. grants** | **Loans** | **Missing shares** a | **Value of grants (£m)** |
| 2010-11 | 3285 | 87 | 3 | 12.4 |
| 2011-12 | 3586 | 80 | 21 | 10.8 |
| 2012-13 | 2085 | 76 | 645 | 8.4 |
| 2013-14 | 2825 | 20 | 1130 | 8.6 |
| 2014-15 | 2739 | 1 | 811 | 7.3 |

a i.e. missing shares under s. 50 of the 2006 Act, not the new power

*Investment by social landlords*

1. SHQS was funded by social landlords’ investment plans, including prudential borrowing for local authorities and private sector borrowing for housing associations. Details of the levels of investment from 2007 to 2015 are set out in a previous paper.[[26]](#footnote-26) Landlords will have to continue to invest to maintain the condition of homes to this standard and to carry out work to homes that are currently exempt, as circumstances change. However, there is an expectation that social landlords will be eligible for funding for work needed to meet the new EESSH.[[27]](#footnote-27)

*Investment by home owners*

1. The Scottish House Condition Survey tells us that around 40% of owners of private sector homes have done work on their homes (over 700,000 homes), spending a total of £2.2 billion (on average just over £3,000 on each home).[[28]](#footnote-28)
2. This spending is significantly more than local authorities are able to provide by way of grants to owners. Yet the impact on levels of disrepair is negligible. Possible explanations why the money being spent is not reducing levels of disrepair include –

* This level of spending is necessary to prevent further deterioration in the housing stock but not enough to actually reduce the underlying level of disrepair.
* Money is sometimes being spent on refurbishments to improve the appearance of the property rather than work needed to address problems with house condition.
* Repairs are being carried out but not to the standard needed to ensure a durable improvement in condition.
* Money is used to address serious problems only when they cannot be ignored instead of more cost effective investment in maintenance.

1. The Scottish Government is developing an equity loan scheme to help home owners carry out essential repairs and energy efficiency improvements. These loans would be targeted on home owners with fixed or limited incomes who are unable to afford regular repayments on a conventional loan. This has been identified as a particular problem, especially where property was obtained under the right-to-buy scheme and owners have not been able to afford the maintenance costs to keep homes in good condition.[[29]](#footnote-29) In some cases essential common works needed in tenements have been blocked because some owners cannot contribute.
2. A pilot scheme managed by the Energy Savings Trust and Care and Repair Scotland will run in Glasgow, Argyll & Bute and Perth and Kinross for up to 18 months to assess the demand for these loans. Under this scheme:

* A home owner will be able to borrow up to £40k for eligible works to carry out repairs and energy efficiency improvements,
* The Scottish Government takes a fixed percentage stake in the value of the home as a security for the loan, and
* There are no monthly repayments but when the house is sold the equity stake is paid back from the value of the house at the point of sale.

*Investment by private landlords*

1. In 2002 the cost of comprehensive repairs in the private rented sector was estimated at £804 million.[[30]](#footnote-30) Since then the sector has doubled in size[[31]](#footnote-31) but SHCS figures show that the percentage of homes in the PRS which fail SHQS improved from 83% in 2004 to 54% in 2014.[[32]](#footnote-32) This reflects investment by landlords to improve some of the private rented housing stock. It is likely that the actual cost of bringing housing up to standard is twice the 2002 estimate.[[33]](#footnote-33) So as a very rough estimate it could be expected to cost around £2 billion to carry out the work needed on the remaining private rented homes.[[34]](#footnote-34)

**C. Timescales**

*Consultation*

1. We will report to the Minister for Local Government and Housing on the work of the Common Housing Quality Standard Forum and seek his view on a public consultation on issues that have been raised. A public consultation takes 12 weeks but we would also need to allow time for preparing the documents and analysis. We anticipate that this could be carried out during the calendar year 2017.

*Legislation*

1. The SHQS was set out in guidance to social landlords. Compliance with SHQS is set out in the Scottish Social Housing Charter. Both the tolerable standard and the repairing standard can be amended by regulations.[[35]](#footnote-35) However, a substantial change to standards across tenures may require primary legislation which would require some time to complete. In practice it usually takes at least 2 years from the introduction of a Bill to the commencement of an Act and it would be necessary to find first a place in the Parliamentary timetable for introduction.

*Implementation*

1. A new standard can be introduced with a significant lead in time to allow owners and landlords’ time to plan work. Social landlords were given ten years to bring social housing up to SHQS. Less extensive changes can be managed more quickly. Regulations which introduced the duty to install carbon monoxide detectors were laid before Parliament in June 2015 and the duty came into force on the 1 December 2015.[[36]](#footnote-36) The same regulations allowed landlords with existing tenants an additional year to complete another new duty to carry out electrical safety inspections.

*Wider context: Energy targets*

1. It would be sensible to link targets for new standards to other targets driving work on existing houses, in relation to energy efficiency and climate change:

2020 Climate Change target of 42% greenhouse gas emission reduction[[37]](#footnote-37)

First EESSH milestone

2030 RPP2 step-change in provision of energy efficient homes[[38]](#footnote-38)

2050 Climate Change target of 80% greenhouse gas emission reduction

Second EESSH milestone

RPP2 largely decarbonised heat sector

**Key Issues**

1. We have identified the following key issues around enforcement, funding and timetables:

* The up-front cost of work, which can limit the scope for collective action by owners and even intervention by local authorities,
* Local authorities already have a wide range of discretionary powers, but do not have the resources to tackle additional cases,
* Cooperation between owners – sometimes the majority do not agree to work even if it is essential,
* Lack of awareness of value for money in proactive maintenance, a high turnover of owners in tenements and poor forward planning may encourage owners to put off repairs,
* Allowing a reasonable time for owners and landlords to meet new standards, and
* If there are additional duties it is also necessary to consider:
* will exemptions be applied,
* what type of enforcement will be put in place,
* who will carry out the enforcement, and
* what will be the penalties?

**Suggested questions for discussion**

1. Are you content with our summary of the emerging issues (paras 4-8 above)?
2. Do you agree that owners of houses could make a difference to overall condition of housing if their investment was better targeted and a higher priority given to proactive maintenance? Do you have any views on how this could be encouraged?
3. Do you think it would be helpful to give new owners and landlords more information about expected maintenance costs?
4. Do you agree that new enforcement powers for local authorities would be of limited value without additional resources or revenue?
5. Do you think that we should consider powers to vary council tax as a tool to help local authorities recover the cost of existing enforcement powers?
6. Are there any other routes to enforcement that should be considered?
7. Are there specific types of housing that need exemptions or temporary exemptions in meeting new standards?
8. Do you agree that the limited availability of alternative accommodation should not be a reason for use of housing that is unfit for human habitation?
9. Do you agree with our view that adding additional questions to the Home Report is of limited value, but we should still look at other ways of flagging failure to meet a common standard when homes are sold or rented?
10. Do you think that there should be a presumption that owners should consent to essential works or that consent should not be unreasonably withheld?
11. Do you agree with the principle that owners and landlords need to be given a reasonable length of time to make changes, which will depend on the extent and cost of the work needed?
12. Do you agree that we need to connect targets for house condition to targets for energy efficiency and low carbon housing?
13. Do you have any view on the timescales that should be considered?
14. Are there any other general points that you feel should be taken into account or considered in relation to a common housing standard?

**Scottish Government**

**July 2016**

1. Rural Affairs, Climate Change and Environment Committee, 10 February 2016, <http://www.parliament.scot/parliamentarybusiness/report.aspx?r=10368> [↑](#footnote-ref-1)
2. Housing (Scotland) Act 1987, section 85 [↑](#footnote-ref-2)
3. Housing (Scotland) Act 2001, section 89, amended by Housing (Scotland) Act 2006, section 10 [↑](#footnote-ref-3)
4. Housing (Scotland) Act 2006, section 72 [↑](#footnote-ref-4)
5. Housing (Scotland) Act 1987, section 85(2) [↑](#footnote-ref-5)
6. Housing (Scotland) Act 1987, section 31, amended by Housing (Scotland) Act 2001, section 3(3) [↑](#footnote-ref-6)
7. Are you homeless? <http://scotland.shelter.org.uk/get_advice/advice_topics/homelessness/help_from_the_councils_housing_department/the_councils_homelessness_tests/are_you_homeless> [↑](#footnote-ref-7)
8. Committee on Economic, Social and Cultural Rights, General Comment 4, The right to adequate housing (Sixth session, 1991), U.N. Doc. E/1992/23, annex III at 114 (1991), <https://www1.umn.edu/humanrts/gencomm/epcomm4.htm>. [↑](#footnote-ref-8)
9. <http://www.gov.scot/Topics/Government/local-government/17999/counciltax/Secondhomes> [↑](#footnote-ref-9)
10. Housing (Scotland) Act 2010, sections 3 and 55 [↑](#footnote-ref-10)
11. Housing and Planning Act 2016, sections 92-94 [↑](#footnote-ref-11)
12. Housing (Scotland) Act 2006, sections 27, 28 and 36 [↑](#footnote-ref-12)
13. PRHP annual report 2014, <https://www.prhpscotland.gov.uk/who-we-are/annual-reports>. [↑](#footnote-ref-13)
14. Housing (Scotland) Act 2014 section 25; Private Housing (Tenancies) (Scotland) Act 2016 Schedule 3 [↑](#footnote-ref-14)
15. Topic Paper 6, paras 9 and 27-28 [↑](#footnote-ref-15)
16. Research to Inform the Five Year Review of the Home Report, <http://www.gov.scot/Publications/2015/01/6011>, para 5.27 [↑](#footnote-ref-16)
17. Topic paper 6, paras 33-35 [↑](#footnote-ref-17)
18. Housing (Scotland) Act 2001, section 28(1); Housing (Scotland) Act 2006, section 52(3) [↑](#footnote-ref-18)
19. Analysis of Historical Construction Cost Movements in Scottish Social Housing - Final Report, section 13.3: Literature review on Housing Maintenance Costs and Strategies, <http://www.gov.scot/Publications/2004/06/19127/34796> [↑](#footnote-ref-19)
20. Topic Paper 5, para 7 [↑](#footnote-ref-20)
21. Topic Paper 5, para 12 [↑](#footnote-ref-21)
22. <http://www.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/HSfS/KeyInfoTables> [↑](#footnote-ref-22)
23. Stewardship and Responsibility: Final Report and Recommendations of the Housing Improvement Task Force, <http://www.gov.scot/Publications/2003/03/16686/19494> [↑](#footnote-ref-23)
24. Housing (Scotland) Act 2006, Part 2; these provisions came into force from 1 April 2009 with a one year transitional period for local authorities to introduce the changes [↑](#footnote-ref-24)
25. Housing Statistics for Scotland - Scheme of Assistance, <http://www.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/HSfS/SoAtable> [↑](#footnote-ref-25)
26. See footnote 21 above [↑](#footnote-ref-26)
27. <http://www.energyefficientsocialhousing.org/funding> [↑](#footnote-ref-27)
28. This data is only available up to 2012 and is reported in the Local Authority Analyses, tables 7.1-7.10, <http://www.gov.scot/Topics/Statistics/SHCS/LAtables2012> [↑](#footnote-ref-28)
29. Sustainable Housing Strategy Group, Papers from 5th Meeting, 9 May 2012: Private Sector House Condition, paras 3.14-16, <http://www.gov.scot/Topics/Built-Environment/Housing/sustainable/Strategygroup/meeting5/condition> [↑](#footnote-ref-29)
30. Topic Paper 5, para 7 [↑](#footnote-ref-30)
31. Para 23 above [↑](#footnote-ref-31)
32. <http://www.gov.scot/Publications/2008/11/26094921/RevisionNoteSHQS> and <http://www.gov.scot/Publications/2015/12/8460/322114> [↑](#footnote-ref-32)
33. Topic Paper 5, para 12 [↑](#footnote-ref-33)
34. [↑](#footnote-ref-34)
35. Housing (Scotland) Act 1987, section 86(2)-(2A), and Housing (Scotland) Act 2006, section 20A [↑](#footnote-ref-35)
36. The Housing (Scotland) Act 2014 (Commencement No. 3 and Transitional Provision) Order 2015 (SSI 2015/272) [↑](#footnote-ref-36)
37. Climate Change (Scotland) Act 2009, sections 1-2 [↑](#footnote-ref-37)
38. Low Carbon Scotland: Meeting our Emissions Reduction Targets 2013-2027. The Second Report on Proposals and Policies, <http://www.gov.scot/Publications/2013/06/6387> [↑](#footnote-ref-38)