

Maureen Watt MSP  
Convener  
Infrastructure and Capital Investment Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh  
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17 June 2014

Dear Maureen

I am writing to advise you of my intention to introduce two Stage 3 amendments affecting Part 6 of the Housing (Scotland) Bill.

In the Committee's Stage 1 Report on the Bill, the Committee expressed the view that the 30 year period for repayment charges under the Housing (Scotland) Act 2006 is excessive, and that there is sense in the suggestion that local authorities should be given the flexibility to determine the time period over which the share must be paid back based on individual circumstances.

During the Stage 2 debate Jim Eadie MSP and Sarah Boyack MSP brought forward amendments (numbers 7 and 152) which would have allowed local authorities to vary the period for the recovery of costs under a repayment charge. At the debate I raised concerns about the need to protect vulnerable home owners.

During the Stage 2 debate Sarah Boyack also brought forward an amendment (number 150) to create a regulation making for the Scottish Government to allow registered social landlords to pay and recover missing shares from private owners. At the debate I raised concerns about the use of recovery powers by social landlords rather than by the strategic housing authority and concerns about the potential impact on services to tenants.

I met Jim Eadie and Sarah Boyack on 5 June 2014 to discuss the concerns that they sought to address in their amendment. I have also discussed these matters with the Scottish Federation of Housing Associations. I have considered similar measures introduced into the Defective and Dangerous Buildings (Scotland) Bill currently progressing through Parliament. I am satisfied that there are practical problems in recovering home owner's share of costs for common works which we should address. Having considered these views, I am now minded to introduce amendments at Stage 3 of the Bill as follows:

Firstly, an amendment which will allow local authorities to determine a repayment period of between 5 and 30 years and provide a right of appeal for any person who is aggrieved by the period of the charge.

Secondly, an amendment to provide a regulation making power to allow registered social landlords to recover costs of common works from owners by repayment charges. This will build on existing rights to carry out work under the tenement management scheme or title deeds. The regulation making power will include appeal rights for owners who are aggrieved by the decision to create a charge or in relation to the period of recovery.

These amendments address the issues which were raised during the Stage 2 debate, and the specific concerns that I raised about them during the debate.

Kind regards

*Margaret Burgess*

**MARGARET BURGESS**