



HOHP User Group Event 20 August 2015 Tribunal Reform

John McHugh, Committee Chairman
Homeowner Housing Panel (hoHP)



Structural Reform

Current Structure

HOHP – applications concerning factoring/land management

PRHP – applications by private tenants against landlords concerning repair and rent.

Appeals to the Sheriff.



Expanding Jurisdictions

PRHP

- Section 35 of the Private Rented Housing (Scotland) Act 2011
- Housing (Scotland) Act 2014 - third party applications
- Regulation of letting agents



New Structures - overview

- Tribunals (Scotland) Act 2014
- President of Scottish Tribunals
- First Tier Tribunal
- Upper Tribunal

First Tier Tribunal

- Chamber structure
- Each Chamber will have a President (or two)
- Property Chamber will include HOHP and PRHP jurisdictions
- Other Chambers will incorporate other first-tier tribunals to deal with other areas – MHTS, ASNTS etc

Upper Tier Tribunal

- appeals on a point of law
- Chamber Structure



Timescales

Administrative changes took effect in April 2015.

Transfer into new system planned for September 2016.

Other Tribunals will follow over next two years.

Electrical Issues

Landlords under a duty to have inspections carried out by a “competent person”

Competent person – NICEIC or SELECT member

Duty includes common parts for which the landlord has a maintenance responsibility. Landlords are likely to be contacting factors for confirmation

Questions

