



THE SCOTTISH HOUSING REGULATOR

Sales of land or property

Application for specific consent under Section 66 of the Housing (Scotland) Act 2001

This application should be completed for all disposals for the sale of property or land not covered by General Consent.

For any references to Communities Scotland (or Scottish Homes) please read the Scottish Housing Regulator.

Section 1: General information on RSL

1. Name of RSL:	
2. RSL registration no.	
3. Correspondence address:	
4. Does the RSL have charitable status?	
5. Contact person:	6. Telephone no.

Section 2: Information on sale

7. Full address of property/ description of land being disposed of (including local authority area):	
8. Reason for sale:	
9. If you have charitable status, does the disposal put your charitable status at risk?	Yes/ No
10. If you are an LSVT landlord, does the proposed disposal comply with your contract?	Yes/ No

11. If the RSL has a standard security or floating charge with the Scottish Ministers (previously Scottish Homes or the Housing Corporation) , please confirm you will get their consent as creditor for this disposal (see separate guidance, CSGN 2005/06).	
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Section 3: Details of land/property

12. Does the sale relate to a tenemental property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
13. What is the condition of the property?		
14. Is this property difficult to let? If so, please give details.		
15. Do you own any other properties within the development?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
16. How long has the property been empty?		
17. Outline your actions/attempts to allocate this property		

Section 4: Valuation and selling price

18. What is the independent market valuation? (must not be more than 3 months old) <div style="text-align: center;">£ <input style="width: 100px;" type="text"/></div>
19. Outline what actions you have taken to dispose of the property/ land to another RSL.
20. Confirm where the proceeds of sale will go, e.g. major repairs fund.

Section 5: Funding

21. Was HAG payment made on this property?

Yes

No

If so, give details of the amount to be repaid to the Area Office.

22. Who are you in contact with in
Communities Scotland's area office about
the repayment of HAG (if appropriate)?

Section 6: Other information

23. Please use this section to expand on any point above or cover any other issues relevant to the sale.

Section 7: Attach supporting information

- Business case
- Valuation (not more than 3 months old)
- Marketing strategy if to be sold on open market
- Site plan
- Schedule (sale of multiple units)
- Disposals policy (if in place)
- Any other relevant information

Section 8: Certification

I, the undersigned, request consent to the disposal detailed above and certify that the disposal meets the following conditions:

- a) The disposal is within the terms of the RSL's governing instrument and charity law where applicable.
- b) The property is to be disposed of in such a way that there is no failure to comply with the terms and conditions of the offer of any Housing Association Grant or any other grant funding conditions imposed by Scottish Ministers, a local authority or any other public body.
- c) If the disposal is of HAG-funded land, the RSL is in discussion with the appropriate Communities Scotland Area Office about the repayment of grant.
- d) An individual disposal or policy covering certain types of disposal has governing body authority and decisions have been properly minuted. Subject to the RSL's constitution, governing bodies may delegate authority to sub-committees or employees for any of the categories in Part 1 of this General Consent. In this event, governing bodies must: (i) consider whether employees or officers are suitably experienced before deciding on delegation; and (ii) explicitly set out the terms of the delegated authority (e.g. in a minute, policy or scheme of delegated authority). Governing bodies must not delegate authority for major disposals, for example refinancing or multiple disposals.
- e) If the disposal is by way of sale, excambion or servitude or other grant of an interest in land, a qualified valuer has confirmed that the sale price is at least equal to its likely value on the open market which confirmation needs to be dated three months or less before the application for consent is made to Communities Scotland.
- f) The disposal does not, in the opinion of the RSL's governing body, affect the RSL's ability to meet its financial obligations or breach the covenants contained in any loan agreements entered into with any of its lenders.
- g) The disposal or any related transactions do not constitute a breach of Schedule 7 of the Housing (Scotland) Act 2001 and will not be made to a person or organisation listed in the Schedule. This includes the RSL's officers, employees, and their relatives, and businesses trading for profit in which those parties have an interest.
- h) The disposal does not affect the quiet enjoyment of the RSL's residential tenants.
- i) Communities Scotland has not notified the RSL in writing that it may not make a specific disposal or class of disposals under the terms of this Consent.
- j) The disposal will be recorded in the RSL's Register of Disposals. The register will be kept at the RSL's head office and be available for Communities Scotland's inspection at all times. Supporting papers for that disposal should also be easily accessible for inspection purposes and form part of a systematic filing system.
- k) If the disposal is of land acquired through a Large Scale Voluntary Transfer, the relevant sale and purchase agreement does not say that any payment is due to Scottish Homes, or its successor body, by way of claw back.

Signature of governing body member* or staff member with delegated authority	
Name of governing body member / staff member (block capitals)	
Designation	
Date	

* Signed either at a meeting of the governing body or when acting under properly delegated authority.

Witnessed by:

Signature of witness	
Name of witness (block capitals)	
Designation	
Date	

Please send this form to the Scottish Housing Regulator, Highlander House, 58 Waterloo Street, Glasgow G2 7DA