

**4. Please indicate which category best describes your organisation**

**(Tick one only)**

<b>Executive Agencies and NDPBs</b>	<input type="checkbox"/>
<b>Local authority</b>	<input type="checkbox"/>
<b>Other statutory organisation</b>	<input type="checkbox"/>
<b>Registered Social Landlord</b>	<input type="checkbox"/>
<b>Representative body for private sector organisations</b>	<input type="checkbox"/>
<b>Representative body for third sector/equality organisations</b>	<input type="checkbox"/>
<b>Representative body for community organisations</b>	<input type="checkbox"/>
<b>Representative body for professionals</b>	<input type="checkbox"/>
<b>Private sector organisation</b>	<input checked="" type="checkbox"/>
<b>Third sector/equality organisation</b>	<input type="checkbox"/>
<b>Community group</b>	<input type="checkbox"/>
<b>Academic</b>	<input type="checkbox"/>
<b>Individual</b>	<input type="checkbox"/>
<b>Other – please state...</b>	<input type="checkbox"/>

## CONSULTATION QUESTIONS

1. Are the vision and objectives as set out in sections 19 and 20 appropriate for Scotland's Sustainable Housing Strategy? Please answer Yes or No and provide fuller explanation if you wish.

Yes  No

Comments

2. What do you think are the main barriers that prevent home owners and landlords from installing energy efficiency measures?

Comments

3. Please explain any practical solutions and/or incentives to overcome any barriers you have identified.

Comments

4. Given Scotland's diverse range of housing, what support is needed to enable people to get energy efficiency measures installed?

Comments

5. (a) What specific issues need to be addressed in respect of improving energy efficiency in rural areas, particularly more remote or island areas?

Comments

5. (b) How should these be addressed?

Comments

6. Taking into account the models and funding sources outlined in section 1.20-1.37, what role might local authorities and other agencies play in bringing about a step change in retrofitting Scotland's housing?

Comments

7. What role should the Scottish Government play in a National Retrofit Programme?

Comments

8. What role could the devolution of additional powers play in achieving more retrofit?

Comments

9. What further action is needed to achieve the scale of change required to existing homes?

Comments

10. How can we make sure a National Retrofit Programme maximises benefits to all consumers (for example, older people, those from ethnic minorities, those with long term illness or disability)?

Comments

11. (a) Should the Scottish Government consider whether a single mandatory condition standard (beyond the tolerable standard) should apply to all properties, irrespective of tenure?

Yes  No

11. (b) If so, how would that be enforced?

Comments

12. (a) In box 6 we identify a checklist for maintaining a quality home. Do you agree with our proposed hierarchy of needs?

Yes  No

12. (b) If you think anything is missing or in the wrong place please explain your views.

Comments

13. Should local authorities be able to require that owners improve their properties, in the same way they can require that they repair them? For example, could poor energy efficiency be a trigger for a work notice? Please answer Yes or No and provide further explanation if you wish, for example on how this might work.

Yes  No

Comments

14. Should local authorities have a power to enforce decisions taken by owners under the title deeds, tenement management scheme or by unanimity? For example, should they have explicit powers to pay missing shares of owners who are not paying for communal repair work, in the same way they can for agreed maintenance work? Please answer Yes or No and provide further explanation, if you wish.

Yes  No

Yes, Glasgow City Council is actively engaged in this. This has resulted in a number of minor repair schemes being implemented which might have otherwise been abandoned due to lack of funding. We believe this intervention is assisting Homeowners and Factors greatly in carrying out essential maintenance of buildings and is mitigating the possibility of more significant works being required in the future, easing pressure on ever increasing "grant application" and "statutory repair" works.

15. Should local authorities be able to automatically issue maintenance orders on any property which has had a work notice? Please provide further explanation if you wish.

Yes  No

Yes, failure to do so would render the legislation somewhat pointless. Maintenance orders help reinforce a proprietor's obligation under title to maintain their property, which is often neglected by individual owners for personal financial reasons. Failure to use legislation for essential maintenance can lead to more significant maintenance problems for all homeowners in the future.

16. Should the process for using maintenance orders be streamlined, and if so, how? Please answer Yes or No and provide further explanation, if you wish.

Yes  No

Unfamiliar with the processes to comment

17. Should local authorities be able to: a. issue work notices on housing affecting the amenity, and b. require work such as to improve safety and security on properties which are outwith a Housing Renewal area? Please answer Yes or No and provide further explanation if you wish.

Yes  No

18. Should local authorities be able to issue repayment charges for work done on commercial properties, in the same way they can for residential premises? Please answer Yes or No and provide further explanation below, if you wish.

Yes  No

We see no reason why Commercial Owners should not be treated in the same manner as residential Owners.

19. What action, if any, do you think the Government should take to make it easier to dismiss and replace property factors?

We believe that this matter has already been legislated for and that further legislation is not required. This would simply serve to confuse all parties.

For example, in most cases there is sufficient provision within existing Title Deeds of Condition to dismiss a property factor:

In typical tenement property of say 8 flats, a simple majority of owners may decide upon dismissal of a factor and appointment of a new factor.

In very large developments upwards of 200 flats, it is our experience that a Developer's Deed of Condition will provide a realistic quorum for meetings. These quorums can be as small as 30 flat owners from the total of 200, with a majority of those attending the quorate meeting having the power to dismiss the Factor and appoint a replacement.

In respect of existing legislation, the **Tenement Scotland Act 2004** already provides for scheme decisions in the event of property titles being silent on matters of common interest and voting rights, which includes the appointment and dismissal of a factor by a simple majority of votes. In addition there is also provision for changing a factor within the **Title Conditions Scotland Act 2003**.

There is also provision in the **Property Factors (Code of Conduct) (Scotland) Order 2012** requiring a property factor to provide information to its clients regarding termination of the factor and thereafter recourse to the Homeowner Housing Panel if a complaint should arise in connection with this.

**It is therefore our view that the most useful intervention in this regard from the Government would be the provision of detailed guidance for homeowners, signposting them to the existing legal provisions for switching Factor.**

20. What action can be taken to raise the importance placed by owners and tenants on the energy efficiency of their properties?

Comments

21. Should the Scottish Government introduce minimum energy efficiency standards for private sector housing?

Comments

22. How could we amend EPCs to make them a more useful tool for influencing behaviour change to improve energy efficiency?

Comments

23. Are there other key principles that we ought to consider when looking at the possible introduction of regulations?

Comments

24. How could regulation be used to support the uptake of incentives?

Comments

25. In section 2.68 we identify design options for the standard. Do you have any views on the options set out in that report? Are there other options that we should be considering?

Comments

26. Do you agree that any regulations for private sector housing ought to reflect the energy efficiency capacity of the property and/or location, as is proposed for the social sector?

Yes  No

Comments

27. If you agree with Q26, should houses of the same type in the social and private sectors be expected to meet the same standard?

Yes  No

Comments

28. Are there other specific issues we need to consider in introducing regulation on the energy efficiency of the home for particular groups of people, for example older people, those with disabilities, people from minority ethnic communities?

Comments

29. Should we consider additional trigger points to point of sale or rental? If so, what?

Yes  No

Comments

30. Should rollout of any regulation across the owner occupied and PRS sectors be phased or all at once? If you think that rollout should be phased how do you think this should be done?

Yes  No

Comments

31. What other issues around enforcement do we need to think about when considering how different approaches to regulation might work?

Comments

32. In sections 2.76-2.79 we suggest that one way of regulating would be to issue sanctions.

(a) Do you think that sanctions on owners should be used to enforce regulations?

Yes  No

(b) Should owners be able to pass the sanction or obligation on to buyers?

Yes  No

Comments

33. The Scottish Government does not intend to regulate before 2015. The working group will consider what options for timing of any regulation might be appropriate, but, given all the points set out in sections 2.80-2.81, from when do you think it might be appropriate to apply regulations?

Comments

34. (a) In Section 3.4 we describe the range of legislative and policy levers that we believe are available to help us transform the financial market such that it values warm, high quality, low carbon homes. Do you agree that this is the full range of levers?

Yes  No

34. (b) Can you suggest any other ways to help transform the market for more energy efficient, sustainable homes?

Comments

35. What changes would be required to current survey and lending practice to enable mortgage lenders to take account of the income from new technology or savings on energy bills?

Comments

36. Section 3.15 lists a range of challenges that may prevent the benefits of a more sustainable, energy efficient home being fully recognised in its value. What further challenges, if any, need to be addressed?

Comments

37. (a) Sections 3.16-3.22 set out the action that Scottish Government is currently developing to encourage greater recognition of the value of sustainable homes. Do you agree that this action is appropriate?

Yes  No

37. (b) What further action is needed to influence consumers and the market?

Comments

38. What steps can we take to ensure that we design and develop sustainable neighbourhoods?

Comments

39. Section 4.10 sets out the main challenges to address in taking forward our aim of new build transformation. What further challenges, if any, need to be addressed?

Comments

40. What action is needed to increase the capacity for developing and bringing to market innovative methods of construction?

Comments

41. What further changes to the operation of the Government's affordable housing supply programme would help to enable it to champion greener construction methods and technologies in the medium term?

Comments

42. What further action is needed to influence the construction industry to make greater use of innovative methods to deliver more greener new homes?

Comments

43. (a) Has Chapter 5 of this consultation identified the key challenges to ensuring Scottish companies have the skills to take advantage of the opportunities expected to be on offer?

Yes  No

43. (b) If not, What other challenges are there?

Comments

44. What further action is needed to ensure there is appropriate investment in skills and training to meet these opportunities?

Comments

45. How can the construction industry be made more aware of the potential funding and support for skills and training development opportunities and engage effectively with those providing training to ensure that it meets their current and future needs?

Comments

46. How do we ensure that skills and training opportunities are provided on an equitable basis to all groups in society?

Comments

47. Apart from training and skills opportunities are there any other issues that should be addressed to make employment in construction and other industries becomes more representative?

Comments

48. Please describe any specific difficulties relating to skills and training that apply to those in remote and island areas and your view on how these may be addressed.

Comments