



**The Tenements (Scotland) Act 2004** was brought into force on 28 November 2004 and provides a structure for the maintenance and management of tenements if this is not provided for in the Title Deeds. The Tenement Management Scheme is the main function of this legislation and covers a wide range of property including traditional sandstone tenements, large houses converted into flats, high rise blocks and four-in-a-block.

The fundamental principle of the Act is that **all tenements will have a scheme for management and maintenance**. But not all tenements will have the same scheme.

The scheme for an individual tenement will be one of:

1. the rules set out in its Title Deeds;
2. the rules set out in the Tenement Management Scheme;
3. a combination of (1) and (2);
4. the Development Management Scheme applied under section 71 of the Title conditions Act; or
5. a combination of (1) and (4).