**OPTS Application form – Explanatory notes**

**The OPTS Application Form**

1. The OPTS [Application form](https://www.kltr.gov.uk/bona-vacantia/ownerless-property-transfer-scheme-opts/opts-information-for-prospective-applicants/) is for those applying for a property under the Ownerless Property Transfer Scheme administered by the King’s and Lord Treasurer’s Remembrancer (KLTR). If the application form is not fully completed, the application may be rejected.
2. The OPTS Application form should be read in conjunction with these explanatory notes and the OPTS [Guidance](https://www.kltr.gov.uk/bona-vacantia/ownerless-property-transfer-scheme-opts/opts-information-for-prospective-applicants/), in particular sections 2 and 4, which provide details of the Scheme’s assessment and eligibility criteria.
3. The OPTS Application form should also be read in conjunction with the OPTS Advisory Panel [Scoring Sheet](https://www.kltr.gov.uk/bona-vacantia/ownerless-property-transfer-scheme-opts/opts-information-for-prospective-applicants/), which provides information on how your application will be assessed.
4. Your application form and related information will be made publicly available on the KLTR’s website, subject to Data Protection rules.

Section 1 – About the applicant

1. Section 1 is for you to provide information about your organisation. This might be an established, incorporated organisation or a group of people intending to form such an organisation.
2. This section asks for one person’s details only, to act as the OPTS contact. This should be the chairperson or other person empowered to make decisions on behalf of the organisation or the planned chairperson of an organisation or body which is yet to be established.

Section 2 – About your organisation

1. Section 2 is for you to give some information about your organisation, whether or not it is established at the point of application. If you are a community body, or hoping to become one, please see section 4.1 of the OPTS Guidance which covers the various incorporated forms community bodies can take. If you are not yet sure what kind of community body you are planning to form, please indicate this in the free text box.
2. Applications for the OPTS do not have to be from bodies complaint with the Land Reform (Scotland) Act 2003 or the Community Empowerment (Scotland) Act 2015, as OPTS is a separate scheme. However, it is useful to know if this is the case. Please consult [Community right to buy (Part 2) - Land reform - gov.scot (www.gov.scot)](https://www.gov.scot/policies/land-reform/community-right-to-buy/) and [5. Community Transfer Bodies - Community Empowerment (Scotland) Act 2015: community transfer bodies' guidance - gov.scot (www.gov.scot)](https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509/pages/5/). If you have any further questions on this, please contact [crtb@gov.scot](mailto:crtb@gov.scot).
3. If your community body has been entered in the Register of Community Interests in Land at any time ([Home - Register of Community Interests in Land - Community Bodies - Registers of Scotland (ros.gov.uk)](https://rcilcb.ros.gov.uk/), please indicate this here. This is not a prerequisite for OPTS applications but it is helpful for the KLTR to have this information.

Section 3 – About the property

1. This section asks you for some basic details of the land and/or buildings you are applying to have transferred to you. As outlined in Section 2 of the OPTS Guidance, applicants can gather evidence from publicly available sources such as [Companies House](https://www.gov.uk/government/organisations/companies-house) and the [Registers of Scotland](https://www.ros.gov.uk/) that the property is, indeed, ownerless (bona vacantia).
2. The Register of Sasines search sheet or Land Register title number will be available from the Registers of Scotland. The KLTR needs this information in order to check whether the property is genuinely bona vacantia and how it became so. Where there is no title number because the property is not yet registered in the Land Register, please provide the Register of Sasines search sheet number. If the matter is more complex, please provide details in the box provided.
3. For the latest registered owner of the land, please enter the most recent owner (whether a natural person, that is, an individual, or a legal person, such as, a company or a Trust, etc.). The company number will be available from [Companies House](https://www.gov.uk/government/organisations/companies-house). Please also state where this is a company based or registered outside Scotland and, if so, include the country where it is registered.
4. As noted in the OPTS Guidance, the OPTS is not a way for directors or other interested parties to restore dissolved companies. Please confirm that neither you, any members, trustees or similar of your organisation, or anyone with a close personal or business relationship to the same, are directors of the company which last owned the property.

Section 4 – About your community

1. The OPTS is focussed on geographic communities, which need to be clearly defined for the purpose of OPTS applications. In deciding how to define your community, please consult section 4.3 of the OPTS Guidance.
2. As well as postcode units, please describe in words your geographic community in any way that is definitive, e.g. the village of X, the town of Y or the island of Z.

Section 5 – About your proposals

1. Section 5 is for you to provide detailed information about your organisation’s plans for the property. To allow applicants to demonstrate how they fulfil the OPTS criteria without restriction, you should provide a separate sheet or document and ensure all of the OPTS criteria are addressed.
2. We work with Scotland’s 32 unitary authorities on the OPTS. As outlined in the Guidance, community bodies should contact the relevant local authority to discuss their plans and, where possible, to secure agreement.
3. As explained in section 2.4 of the OPTS Guidance, the criteria are as follows:
4. The Intended Owner
5. Public Interest
6. Definition of Community
7. Community Interest and Support
8. Sustainable Development
9. Project Funding and Viability

You might also find it useful to consult the [OPTS Advisory Panel Scoring Sheet](https://www.kltr.gov.uk/documents/document-list/opts-advisory-panel-scoring-sheet/), which gives further information on how OPTS applications are assessed.

Section 6 – Document checklist

1. Please check you have included all of the documentation on the list or have explained why this is not available.

Section 7 – Declaration

1. Please read the information relating to personal data before signing the Declaration to ensure you are fully informed as to how your information will be used.
2. Providing information which is knowingly false or misleading and leads to fraud is a criminal offence and any fraud relating to the OPTS will be pursued vigorously.