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HOME



EDITION 5

PRIVATE

# LANDLORDS & AGENTS

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## Welcome to the Summer 2022 newsletter

This newsletter provides you with details of changes in the private rented sector and information that you should be aware of as a landlord and or letting agent.

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## Private Residential Tenancy Agreement (PRT) – Are you using the latest version?



All tenancies created from 1 December 2017 must have a Private Residential Tenancy agreement.

A private residential tenancy agreement does not have a tenancy end date and cannot be completed with a fixed term rental period. When issuing the tenancy agreement, ensure that the easy to read notes are issued to the tenant(s). The tenancy agreement can be issued by email if all parties are in agreement.

The new version of the tenancy agreement was uploaded to the Scottish Government website and is effective from 30 March 2022. Click on the link to make sure you have the latest version of the **Private Residential Tenancy** agreement



## If your tenant is refusing access to the property, there are steps that you can take.



If your tenant is refusing access to the property to carry out inspections, maintenance or safety checks you should apply to the **Housing and Property Chamber**.

The Housing (Scotland) Act 2006 gives the landlord of a property to which the repairing standard applies specific rights to enter the rented property for the purpose of:

- viewing its state and condition for the purpose of determining whether the house meets the repairing standard, or
- carrying out any work necessary to comply with the duty in section 14(1)(b) or a repairing standard enforcement order.





## Support from Home Energy Scotland



In 2019, the Scottish Government published regulations covering the details of applying minimum standards and exemptions. This is part of a wider programme from the Scottish Government to make homes warmer, greener, and more efficient. By 2028 and where technically feasible and cost effective, properties will need to have a minimum standard equivalent to Energy Performance Certificate (EPC) C. This will improve conditions for tenants in the coldest homes and help tackle fuel poverty. It will also reduce carbon emissions, helping us meet our climate change targets.

### Free, impartial specialist advice

If you need advice on funding or are looking for advice on your EPC, Home Energy Scotland (HES) can help. Funded by the Scottish Government, HES has specially trained advisors who offer free and impartial advice. There's plenty of support available including our Private Rented Sector Landlord Loan to help landlords spread the cost of energy efficiency improvements to their rental properties.

Your local HES Private Landlord Specialist will be able to discuss your property at a time that suits you. This support includes but is not limited to: discussing different improvements that could be suitable for your property, financial support available, or a more detailed report can be provided following an assessment of your property.

### Be prepared and plan ahead.

If the property does not have a valid EPC, you can visit the [Scottish EPC Register website](#) where you can find an EPC assessor. This ensures that as the landlord you will be prepared for any changes that may need to happen.

All HES specialists who work with landlords are trained Domestic Energy Assessors and understand the process behind creating an EPC. This makes them well placed to help you understand the information on your EPC and work out how you can make your properties more efficient and improve your EPC rating.

Your local private landlord specialist will be able to discuss your property at a time that suits you, by telephone, email, or in-person.

Speak to your local private landlord specialist advisor by calling Home Energy Scotland on freephone 0808 808 2282, Monday – Friday 8am to 8pm, or Saturday 9am to 5pm.

You can also email [stuart.whitney@sc.homeenergyscotland.org](mailto:stuart.whitney@sc.homeenergyscotland.org).





## Changes to Tolerable Standard and Repairing Standard - All rental properties are required to meet these standards

The Scottish Government have introduced changes to the Tolerable Standard which is the minimum standard that all property tenures must meet to be habitable. Regulations regarding **smoke and heat detection** and Carbon Monoxide (CO) detection were previously part of the repairing standard, now form part of the **Tolerable Standard**. All private rented properties should already have this standard of smoke and heat detection.

**Click on the links for full details.**

The Scottish Government have also introduced changes to the **Repairing Standard** effective from 1 March 2024. This is the minimum standard that all rental properties must meet at the start of a tenancy and throughout the tenancy.



## Empty Homes in Glasgow

Did you know that Glasgow City Council has an Empty Homes Strategy and 3 dedicated Empty Homes Officers? Since 2019, 724 homes have been brought back into productive use through working with owners. Empty Homes Officers are affiliated with the Scottish Empty Homes Partnership, and together they have negotiated discounts for a range of goods and services to assist empty homeowners bring their properties back into use. HMRC offer VAT discounts for eligible renovation works for properties that have been empty for over 2 years and these can also be accessed via the Empty Homes Officers.

If you would like to contact an Empty Homes Officer or get more information [click here](#)

Under the Housing (Scotland) Act 2010, local authorities can use Council Tax records to identify vacant homes and a surcharge of 100% council tax can be charged for domestic properties which have been empty for over 12 months and are not being marketed for sale or rent. This was implemented by Glasgow City Council in 2018 and means that known empty properties are being charged 200% council tax.

If you wish to report an empty home you can do so [here](#)





## Private Landlord Support



The Private Landlord Support Officer (PLSO) is a dedicated resource that will work with Private Landlords across the city to improve the standards of private rented accommodation and offer advice on tenancy management arrangements.

It is important that all landlords understand their responsibilities as a landlord, and the PLSO can offer advice and assistance.

If you have a question or need support [click here](#)

## Short Term Lets Licensing Scheme



Legislation has been passed that requires properties being used as short term lets to be licensed. You can check the **Scottish Government Guidance** to establish if your property will be required to be licensed and what you are required to do. We will provide further detail on the Licensing of Short Term Lets as it becomes available

## PRS Tenant-Led Housing Commission wants to hear from you!



In September 2021, TIS was delighted to partner Glasgow City Council and trailblaze Glasgow's first of its kind, Tenant-Led Housing Commission for the private rented sector. The initiative provides a platform empowering individuals and communities within the private rented sector to have greater say to ensure services and solutions are delivered to meet their needs, whilst shaping the future of PRS housing in Glasgow.

The Commission provides opportunities for individuals to actively participate and engage within their local communities, empowers people to identify solutions that meet their specific needs, and enables people to be at the forefront of decision making.

To date, the Commission has been proactively working towards producing an independent report outlining several findings and recommendations for private rented sector housing reforms – including developments and improvements that address local issues of housing supply options; conditions and repairs; energy efficiency; and rents and affordability.

Going forward, these recommendations will inform Glasgow's Housing Strategy and will influence decision making in managing, maintaining, and improving housing stock, and in addition, raise private rented sector standards and improve service delivery.

As the Commission continues to engage with Glasgow's PRS stakeholders it's important that we hear from landlords to understand personal experiences as a landlord operating in Glasgow; the challenges landlords' encounter; and what opportunities there are to improve the sector.

**If you can spare 5 minutes, then [please complete our survey](#).**

We are also eager to host a number of landlord 1-2-1 discussions and focus groups. Participation will be anonymous. If you are interested in taking part, please contact [scnorr@tis.org.uk](mailto:scnorr@tis.org.uk) or 0141 248 1242.





## Rent Service Scotland needs you



Rent Service Scotland collects rental information from a wide variety of sources contributing to a data set which is used to produce statistics for the Office for National Statistics (ONS). The information is also used to set levels of Local Housing Allowance, Universal Credit, valuations for Housing Benefit, registered rents, rent adjudications and Rent Pressure Zones.

### Rent Service Scotland

If you can share rental information please contact us using the contact details below.

The information will be held securely in the Rent Service Scotland database and held in line with the current retention policies.

Email: [rss.dundee@gov.scot](mailto:rss.dundee@gov.scot)

Rent Service Scotland, 2nd Floor Endeavour House, 1 Greenmarket, Dundee, DD1 4QB

Telephone: 0300 244 7000 (Answer machine only)

[Market evidence form for landlords - gov.scot \(www.gov.scot\)](https://www.gov.scot)

## Do you use a Letting Agent?



The Chartered Institute of Housing in Scotland (CIH) is undertaking a review of professional qualifications for letting agents in Scotland. As part of this study, the CIH want to hear from landlords to find out if these qualifications have had an impact on any dealings that you have with letting agents and also to hear your views about the role of training and qualifications in the residential lettings sector generally.

If you would like to complete the survey please follow this link - [landlord survey on letting agents qualifications](#). The study is being undertaken for CIH by Indigo House, alongside their research partner IBP Strategy and Research, and they are asking that people complete the survey by the planned closing date of **Friday 1 July 2022**.

If you have any questions about the survey content, then IBP would be happy to help. Please contact Fraser Gilfillan at [f.gilfillan@ibp.eu.com](mailto:f.gilfillan@ibp.eu.com), or contact IBPs offices on **01698 532021**. Our thanks in advance for taking the time to express your views on this important issue.

