



From mountain to sea

# Landlords Matter



## Private Landlords and Letting Agents

October 2022



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Welcome to Aberdeenshire Council's Autumn Edition of Landlords Matter. The Landlord Registration Team can be contacted on: tel no **01467 534853** or email [landlordregistration@aberdeenshire.gov.uk](mailto:landlordregistration@aberdeenshire.gov.uk).

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### **Rent Freeze and Eviction Ban**

Scottish Government is introducing temporary legislation to help tackle the cost of living crisis. [The Cost of Living \(Tenant Protection\) Scotland Bill](#) includes a freeze on in-tenancy rent increases, a ban on evictions (except in a number of specified circumstances) and an increase in damages for unlawful evictions until at least the 31 March 2023.

### **Rent Cap**

A rent increase cap will be set at 0% and is expected to remain at that level until 31st March 2023 and applies to all increases proposed on or after 6th September 2022. There are some safeguards for private landlords which allows them to apply to a Rent Officer to increase rent to partially cover an increase of prescribed costs which includes mortgage payments and landlords insurance. A Rent Officer may order by the lower of: 50% of the increase of these costs or 3% of the existing rent level, landlords will be able to appeal this decision to the First Tier Tribunal.

### **Moratorium on Evictions**

The moratorium prevents enforcement action for individual evictions for a maximum of six months.

Some safeguards have been put in place to allow evictions in certain circumstances, which include anti-social behaviour and criminality, to protect tenants and the local community, abandonment cases and to support landlords who find themselves in financial hardship. Evictions will also proceed where there are substantial arrears where the arrears at the point of order is at least six month's worth of rent.

### **Increased Damages for Unlawful Evictions**

Damages for unlawful evictions will be increased to a maximum of 35 months' worth of rent.

Further information can be found by clicking [here](#).

### **Landlords Seeking Legal Advice**

A coalition of landlords and lettings bodies are seeking legal advice on the validity of this legislation, further information on this can be found [here](#).

### **Support**

The Scottish Government has recently launched a new [website](#) to help those struggling with the cost of living crisis.



[SDS Resolve](#) can help landlords and tenants resolve issues that arise during a tenancy. This is a free and easy to use service. They can help with disputes including -

- Property standards
- Repairs
- Entry rights

- Rent arrears
- Threatened evictions
- Breach of tenancy terms
- Noise/anti-social behaviour (except serious anti-social activity)

Visit their [website](#) for more information on this service.

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### **Right of Entry**

Is your tenant refusing you entry to carry out inspections, maintenance and safety checks? Landlords can apply to the [Housing and Property Chamber](#) for assistance in entering the property.

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 -

(a) viewing its state and condition for the purpose of determining whether the house meets the repairing standard, or

(b) carrying out any work necessary to comply with the duty in section 14(1)(b) or a repairing standard enforcement order.

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### **Landlord Tool Kit**

Have you visited our [website](#) recently? You will find lots of useful information for private landlords including;



[Our Landlord Information Leaflet](#)

[Landlord Registration](#)

[Landlord Checklist](#)

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## **LAS training opportunities**

**Landlord Accreditation Scotland** promotes best practice in the Scottish private rented sector.

**LAS** run a series of training courses which are now being delivered virtually, to enable landlords to adopt this practice and to ensure they remain updated with changes to legislation and how to deal with the day to day management of rental property.

Landlords do not need to be accredited to attend the training courses.

Anyone involved in letting property in the private rented sector in Scotland is welcome to attend.

The cost of the courses is kept to an extremely affordable level to encourage as many people as possible to attend.

The courses are run by experienced tutors including housing law, tax and accreditation specialists ensuring that landlords and agents receive the most relevant information in an informal environment.

## **Upcoming course(s)**

[Preparation for possession actions](#) 18/11/22 10.00 am - 11.00 am

Their course calendar is available on their [website](#).

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