**Dundee Landlord e-Newsletter**

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**LANDLORD REGISTRATION FEES ON THE RISE**

The Scottish Government have announced that Landlord Registration fees, which have remained static since the introduction in 2006, are increasing on 11 June 2019. The new fees are as follows:

Landlord Fee: £65 (£32.50 Multi Local Authority Registrations)

Property Fee: £15

Late Application Fee: £130

New landlords can register and those who are within the 3 month window in which a renewal application can be made, can avoid the fee increase by submitting their application before 11 June 2019.

For further information: <https://www.mygov.scot/renting-your-property-out/registration/>

**CHANGES TO THE REPAIRING STANDARD**

Following on from the changes to the Gas Safety Regulations which came into force April 2018 (see Jan newsletter), more changes have now been implemented with the Housing (Scotland) Act 2006 (modification of the repairing standard) Regulations 2019. Please find below a summary of the changes that came into force on 01 March 2019.

**Holiday Lets** - Tenancies of less than 31 days for the purpose of a holiday will not be subject to the repairing standard.

**Common sense for common repairs** - a flat in a tenement does not fail the repairing standard if work cannot be undertaken due to the majority of owners refusing consent.

**Tolerable Standard** - all houses in the private rented sector must also meet the more basic statutory tolerable standard.

Future changes due to come into force in March 2024 include provisions as follows: a minimum standard for safe kitchens; a fixed heating system; safe access and use of common facilities including secure common doors; residual current devices; all fuel types supplying the property to be in a reasonable state of repair and in proper working order; and a requirement that landlords have regard to Scottish Government guidance on the condition of pipes supplying water. The timescale given is to allow landlords time to carry out works necessary to meet these new provisions.

For further information: <https://www.housingandpropertychamber.scot/news/amendments-housing-scotland-act-2006>

**UPDATED GUIDANCE ON SMOKE/HEAT ALARMS**

The Scottish Government has updated guidance on smoke/heat alarm requirements for properties in the Private Rented Sector. This confirms that from 01 March 2019, the Repairing Standard can be complied with by installing either hard wired or wirelessly connected mains-operated alarms or tamper proof long-life lithium battery alarms. The guidance stipulates that smoke alarms must conform to BS EN 14604 and heat alarms to BS 5446-2.

From 01 February 2021, the current standards for provision of smoke/heat alarms, and for carbon monoxide alarms, in private rented housing will be included in the Tolerable Standard and will therefore apply to all tenures including owner-occupied and social rented sector homes. See link for more information: <https://www.gov.scot/publications/fire-and-smoke-alarms-in-scottish-homes/>

**ENERGY EFFICIENCY STANDARDS**

Since 2013 landlords have had a requirement to include an energy performance indicator on all adverts and provide their tenants with a copy of the EPC for the property. The new minimum energy efficiency standards for Private Rented properties will be phased in and increase over time to the following:

**From 01 April 2020** all Private Rented Sector Properties must have a **minimum EPC Rating of E at the change of tenancy.**

**By 31 March 2022 ALL** rental properties must have a **minimum EPC rating of E.**

**From 01 April 2022** all Private Rented Sector Properties must have a **minimum EPC Rating of D at the change of tenancy.**

**By 31 March 2025 ALL** Private Rented Sector Properties must have a **minimum EPC Rating of D.**

See link for more information: <https://www.gov.scot/policies/home-energy-and-fuel-poverty/energy-efficiency-in-private-rented-housing/>

**IS YOUR TENANT REFUSING YOU ACCESS?**

Landlords who are having difficulty accessing properties to carry out maintenance, inspections, repairs and or safety certificates can use the 1st Tier Tribunal’s Right of Entry procedure.

This is a free service, you’ll find the template letters and applications forms at the Housing Property Chamber website:

<https://www.housingandpropertychamber.scot/apply-tribunal/right-entry>

**ACTION FOR CHILDREN – NEW FAMILY SUSTAINMENT SERVICE**

In the City of Dundee, Action for Children currently offer a diverse range of services to children, parents, young people and families. We know that there are families in Dundee who are suffering financial and social hardship who are residing in tenancies owned by private landlords. In 2017/18, 132 families in Dundee were evicted from private rented tenancies. As a project we are taking the opportunity through funding from SafeDeposits Scotland Trust to try a more proactive approach to working with families in fear of eviction from private rented tenancies by introducing a safety net of support and advice.

We will address the issues that have driven them to the point of eviction and set up a network of supports to sustain them in their tenancies. The aim of the project will be to reduce the numbers of families who, face, or are threatened with eviction. The project will resolve disputes between tenant and landlord as well as providing conflict resolution and mediation to the families. This will result in families sustaining the tenancy and building more robust relationships with their landlord.

The benefit to the landlord will be that support will be provided to them to resolve any neighbourly disputes and their tenants will be educated to live more harmoniously. Furthermore, if there are rent arrears, then the family will be supported to address the issue ensuring the landlord will receive payment.

**To refer a family in or to gain more information about us, please contact the service via email at** **dundeefamiliesproject@actionforchildren.org.uk** **or call 01382 828372.**

**PRIVATE LANDLORD SUPPORT OFFICER**

Our Private Landlord Support Officer Terri, will be hosting a series of small workshops to allow landlords to come together and better their knowledge and understanding of particular areas they are not confident about from landlord registration, preparing property for let, certification, preparation of leases, inventories, serving correct notices, lodging deposits etc. If this is something you would be interested in, please drop an email to: plso@dundeecity.gov.uk

Terri will be available to speak with you at our upcoming seminar on Monday 17 June 2019. In the meantime, you can contact her with any questions or suggestions on: Tel: 01382 433236 or email: plso@dundeecity.gov.uk

**FREE LANDLORD RESOURCES**

Trying to remember, and keep on top of all your duties as a landlord can be daunting. To assist our department have produced a ‘Private Landlord Checklist’, ‘HMO Factsheet’, ‘Checking Out Checklist’ and also a new ‘What to look for in a Letting Agent Factsheet’.

These are free resources available to all landlords and letting agents.

To request your copy either email plso@dundeecity.gov.uk or telephone 01382 433236.

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**\*\*LANDLORDS REMEMBER\*\***

* **Electrical Installation Condition Report (EICR).** Landlords are required to have an EICR of their property carried out. This EICR must include a Portable Appliance Test (PAT) for all electrical appliances supplied by the landlord. Electricians must be NICEIC or SELECT approved.
* **Energy Performance Certificates (EPC)**

From 9th January 2013 an energy performance indicator must be included in all advertisements and a copy of the EPC given to the tenant.Check the Scottish EPC register for an approved assessor:

<https://www.scottishepcregister.org.uk/assessorsearch>

* **Gas Safety.** The landlord must have the gas supply and any gas appliances provided, checked and certified annually by a Gas Safe engineer. A copy of the certificate must be given to the tenant.
* **Carbon Monoxide (CO) Detection.** From 1 December 2015 landlords must ensure there is adequate CO detection in all privately let property, with a gas appliance.
* **Houses of Multiple Occupation (HMO's).** Properties shared by 3 or more individuals (from more than 2 families) must have a current HMO Licence. Telephone 0800 0853 638 for more information.
* **Landlord Registration.** From 1 June 2013, The Private Rented Housing (Scotland) Act 2011 states all adverts for properties to let must include the **landlord’s** registration number, or in the case of landlords whose application is yet to be determined, the phrase **‘landlord registration pending’**. (**NB** - ***It is not acceptable to quote the agent’s registration number***). On 31 August 2011, it became an offence for landlords not to notify the local authority if they appoint an agent. This can incur a maximum fine of £1,000 – ensure your registration application is updated.
* **Letting Agent Register** – All letting agents must be registered with the new national register from 01 October 2018. It is now a criminal offence to carry out letting agency work without having applied to the register. All letting agents should have met the training requirements and completed their registration application. <https://www.mygov.scot/letting-agent-registration/>
* **Legionella/Legionnaires Disease.** Landlords and letting agents are obliged by law to carry out risk assessments for Legionnaire’s Disease, and implement any necessary measures. More information available at:

[www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm](http://www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm)

* **Private Residential Tenancy (PRT’s).** Since 01 December 2017 landlords can no longer issue an assured or short assured tenancy. All new tenancies created must be the new Private Residential Tenancy : <https://rentingscotland.org/private-residential-tenancies/>
* **Repairing Standard.** A landlord has a duty to repair and maintain the property at the start of the tenancy and at all times during the tenancy, including a duty to make good any damage caused by carrying out this work.

<https://www.gov.scot/publications/repairing-standard/>

* **Smoke Alarms.** All rented properties must have one smoke alarm in the principal room, one in every hallway and landing, a heat alarm in the kitchen. All alarms must be interlinked and either mains wired with battery back-up or tamper proof long-life lithium battery, the expiry date must be visible. Revised guidance was issued in February 2019 and is available from the Scottish Government website: <https://www.gov.scot/publications/fire-safety-guidance-private-rented-properties/>
* **Tenancy Deposit Schemes.** Landlords must pay their tenant’s deposits into an approved tenancy deposit scheme and provide the tenant with key information about the tenancy and deposit.

<https://www.mygov.scot/tenancy-deposits-landlords/>

**FEEDBACK**

If you have any thoughts or comments on this newsletter, or suggestions for future topics to be included please email them to landlord.registration@dundeecity.gov.uk

**You can view previous issues of our eNewsletter at** [**www.dundeecity.gov.uk/housing/privatesector/**](http://www.dundeecity.gov.uk/housing/privatesector/)

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