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**Dundee Landlord E-Newsletter**

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**Expiry Of The Rent Adjudication (Temporary Modification) (Scotland) Regulations 2024**

To support the transition out of the Cost of Living (Tenant Protection)(Scotland) Act 2022, Scottish Ministers’ put in place temporary changes on how proposed rent increases for Private Residential Tenancies and Statutory Assured Tenancies would be determined through The Rent Adjudication (Temporary Modification) (Scotland) Regulations 2024. These changes were in place for 12 months and aimed at supporting the transition back to market rent following the temporary cap on rents under the Cost of Living Act.

The Rent Adjudication (Temporary Modification) (Scotland) Regulations 2024 will expire at the end of 31 March 2025. As a result, the rent adjudication process will revert back to existing legal requirements, which are based on market rent, from 01 April 2025. To support transition away from the temporary changes, Scottish Ministers will shortly be laying Regulations in Parliament seeking to introduce saving provisions which will ensure that any applications for a rent adjudication that have yet to be finalised or that are being appealed, will continue to be decided on the basis of the temporary changes.

**Reminder Of Changes To The Repairing Standard**

New requirements were added onto The Repairing Standard from 1 March 2024. These include:

1. Fixed heating system
2. Water pipes must be free of Lead
3. Residual Current Devices (RCD)
4. Safe Kitchens and Food Storage
5. Safe and Secure Common Doors
6. Consent to work on Common Parts
7. Safe Access to Common Parts
8. Other fuel installations (such as oil, wood and liquid petroleum gas)

Landlords should continue to familiarise themselves with the full details of the updates at: <https://www.gov.scot/publications/repairing-standard-statutory-guidance-landlords/> and ensure they are complying with the above changes.

**Fire Detection**

It is almost 10 years since The Repairing Standard was updated to require a landlord to ensure that **'there is satisfactory provision for detecting and giving warning of fires'**. The current minimum requirement is to provide at least:

1. One functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes.
2. One functioning smoke alarm in every circulation space, such as hallways and landings.
3. One heat alarm in every kitchen.
4. All alarms should be interlinked.

Detector heads within these alarms have a 10 year life span and therefore you should check the date on your alarms to determine when they are due to be renewed.

**Discretionary Housing Payment**

Does your tenant receive Housing Benefit or Universal Credit Housing Costs? Do they struggle to pay the rent shortfall? A Discretionary Housing Payment (DHP) can help, for example if your tenant is affected by:

* The shared room rate and are under 35
* The Local Housing Allowance
* The Benefit Cap or
* Have higher living costs because they are sick or disabled

There is a limited amount of money available to the Council to provide this help. Due to this, any payment made will be for a short period of time only.

Apply online @<https://my.dundeecity.gov.uk/service/Discretionary_Housing_Payment>

**Landlord Registration Fee Increase From 01 April 2025**

The Scottish Government have announced that Landlord Registration fees are increasing on 01 April 2025. The new fees are as follows:

* The landlord principal fee will increase from £80 to £82
* The property fee will increase from £18 to £19 per property
* The late application fee will increase from £160 to £164

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 01 April 2025.

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

**The new fee amounts take effect at 9am on Tuesday 1 April 2025**

**Landlord Registration &**

**How To Avoid The Late Fee!**

All those named on the title deeds of a rental property must apply individually for landlord registration and receive their own landlord registration number.  Both the lead owner and all joint owners must renew their own individual registration application every 3 years, prior to their own expiry date.

Only the lead owner is required to pay a registration and property fee.  Therefore, when a joint owner renews their application (prior to the expiry date) they will not be charged any registration fees.  However, should either registration application expire they will be subject to a Late Application Fee which is currently £160 (increased to £164 on 1 April 2025).

**Ensure Your Letting Agent Registration Number Is Updated**

Since October 2018 all Letting Agents operating in Scotland **must** be registered with the Letting Agent Register and provide all new and current clients with their Letting Agent Registration Number **(LARN)**.

If you use a Letting Agent, please ensure they are registered and that you also update their agent details on your landlord registration to show the new LARN number, if you haven’t already done so.

**Agents -** Please remember if your LARN happens to change, ensure you advise all landlords to amend their registrations accordingly with the new number.

**Empty Homes Initiative**

Dundee City Council’s Empty Homes Officer, Michelle Morrison, continues to support the city’s empty home owners to bring their Private Sector properties back into residential use. The Empty Homes Initiative has assisted to bring 177 properties back into use in Dundee and Michelle is now actively working with around 10% of Dundee’s empty home owners.

Empty homes are often outlined as wasted resources that can be used to address local housing need and demand and are often described as being an eyesore and a target for antisocial behaviour. Michelle can offer a range of tailored advice and assistance to help owners consider all options available to them, including guidance on selling, renting, and renovating empty homes. This also includes a number of incentives designed to assist empty home owners, including: discounted rates at national builder’s merchants through the Scottish Empty Homes Partnership, VAT reductions on eligible renovations and alteration works as well as the Dundee City Council Property Matchmaker Scheme.

You can view case studies of some empty homes returned to use with the assistance of the initiative at:

<https://www.dundeecity.gov.uk/service-area/neighbourhood-services/housing-construction-and-community-services/empty-homes-initiative>

If you are an empty home owner who would be interested in receiving further information about the service then please do not hesitate to contact Michelle on 07881010659 or empty.homes@dundeecity.gov.uk

**Under One Roof – Advice For Dealing With Common Repairs**

Under One Roof is Scotland’s only charity committed to providing free and impartial information to landlords, owner-occupiers, and housing professionals. The Under One Roof website hosts a wealth of information, with over 200 articles that cover a wide range of topics related to tenement maintenance and management, such as how to organise common repairs and sharing repair costs with your co-owners. There is also an enquiry service, called ‘Ask a tenement expert’, which allows landlords, owner-occupiers, and housing professionals to receive tailored answers to specific queries. Visit the Under One Roof website at [**underoneroof.scot**](http://www.underoneroof.scot/) to learn more and to get in touch with a tenement expert. To find out about their upcoming events, [subscribe to their newsletter](https://bit.ly/uornews).

**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 the following:

* Private Landlord Checklist
* HMO Factsheet
* Checking Out Checklist
* What to look for in a Letting Agent Factsheet
* Legionella Information Sheet.

These are free resources available to all landlords and letting agents. To request your copy either email [plso@dundeecity.gov.uk](mailto:plso@dundeecity.gov.uk) or telephone Terri Kean 01382 433236.

**\*\*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. <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2016/12/electrical-installations-and-appliances-private-rented-properties/documents/guidance-electrical-installations-appliances-pdf/guidance-electrical-installations-appliances-pdf/govscot%3Adocument/Guidance%2Bon%2BElectrical%2Binstallations%2Band%2Bappliances.pdf>
* **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.Be aware of upcoming changes to the minimum EPC standard. 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.**  Since October 2018 **ALL** letting agents must be registered with the new national register. It is 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, implement any necessary measures and provide information to tenant(s). More information available at:

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

* **Prescribed Information.** Since16 September 2019 all private landlords are required to self-declare and evidence (when requested) that their certification (ie. Gas Safety, EICR’s, EPC’s etc) is current and valid.
* **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, and 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, via wires (hardwired) or wirelessly (by radio communication), 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 within 30 days of the tenancy beginning 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](mailto: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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