

# Landlord Information Sheet

## A brief guide for Landlords

---

### Landlord Registration

Mandatory Landlord Registration was introduced in 2006 by the Antisocial Behaviour etc. (Scotland) Act 2004.

It is a criminal offence, if you own a house to subject it to a lease or an occupancy agreement to an unconnected person, if you are not registered.

There is a fee for registration and registration lasts for three years.

An application can be made at [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk) or by completing an application form.

To be registered you must declare that you will comply with all relevant legislation and the Local Authority assess if you are fit and proper.

### Tenancy Agreements

Generally there are three types of tenancy agreements, Short Assured, Assured and Private Residential Tenancies.

### Short Assured Tenancy

It will probably be a short assured tenancy if:

- The tenancy started after 2 January 1989 and before 1 December 2017.
- An AT5 form was issued before the tenancy started.
- The tenancy is for at least six months.
- Landlord applies to Housing and Property Chamber for possession.

### Assured Tenancy

It will probably be an assured tenancy if:

- The tenancy started after 2 January 1989 and before 1 December 2017.
- Before the tenancy started an AT5 notice was not issued.
- Landlord applies to Housing and Property Chamber for possession.

## Private Residential Tenancy

If the tenancy started on or after 1 December 2017 it will probably be a Private Residential Tenancy.

- Rent increases limited to one in a 12 month period with 3 months notice
- Duty to provide written terms and easy read notes.
- Landlord applies to Housing and Property Chamber for possession.
- Open ended tenancy with 18 grounds for eviction.

## Gas & Electrical Safety

You must arrange for an electrical safety inspection of installations and any appliances that you provide within the rental property, to be carried out every 5 years. You should provide your tenant with a copy of an electrical safety certificate (an Electrical Installation Condition Report) and a record of portable appliance testing.

If the property has a gas supply, you must arrange for an annual Landlord Gas Safety Record to be carried out by a Gas Safe registered engineer. You should supply your tenant with a copy of this certificate. If you do not provide your tenant with a safety certificate they can contact the Health and Safety Executive for advice. If your tenant knows that your gas installations or pipework are defective, they must tell you. Your tenant must never use appliances that are condemned or unsafe.

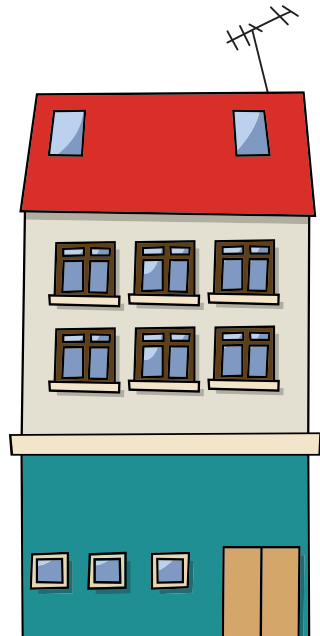
## Energy Performance Certificate

An Energy Performance Certificate (EPC) shows a property's energy efficiency. It also highlights potential improvements that could save energy. The EPC certificate should be displayed on the property, and on request, landlords must provide a copy to prospective tenants (i.e. new tenants, not tenants who are simply renewing a lease).

## Repairs and Maintenance – Access

Your tenant must give you reasonable access to the property to do repairs and maintenance. You must give your tenant at least 24 hours written notice that you intend to enter the property unless you need to do an emergency repair.

If a Private Residential tenancy is in force you can apply to the Housing and Property Chamber for assistance in exercising your right of entry.



## The Repairing Standard

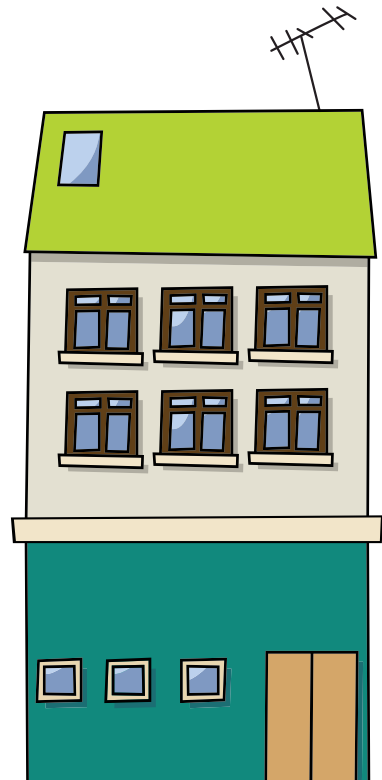
You have a duty to ensure that the house meets the Repairing Standard at the start of the tenancy and throughout the tenancy.

- The property must be wind and water tight and in all other respects reasonably fit for people to live in.
- The structure and exterior (including drains, gutters and external pipes) must be in a reasonable state of repair and in proper working order.
- Installations for supplying water, gas and electricity and for sanitation, space heating and heating water must be in a reasonable state of repair and in proper working order.
- An Electrical Installation Condition Report (EICR) and a Portable Appliance Test (PAT) Certificate must be provided every 5 years.
- Any fixtures, fittings and appliances that the landlord provides under the tenancy must be in a reasonable state of repair and in proper working order.
- Any furnishings that you provide under the tenancy must be capable of being used safely for the purpose for which they are designed.
- The property must have a satisfactory way of detecting fires and for giving warning in the event of a fire or suspected fire.

- The property must have satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.

The main points relative to smoke detectors are as follows. Guidance states there should be at least:

- One functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes
- One functioning smoke alarm in every circulation space, such as hallways and landings
- One heat alarm in every kitchen
- All alarms should be interlinked hard wired and have battery backup.



## Housing and Property Chamber

If the property doesn't reach this standard and you refuse to carry out the necessary work, your tenant or the Local Authority can report you to the Housing and Property Chamber. The HPC is part of the Scottish Courts and Tribunals Service

Information about the HPC is available at [www.housingandpropertychamber.scot](http://www.housingandpropertychamber.scot) or from:

Housing and Property Chamber - First-tier Tribunal for Scotland  
4th Floor  
1 Atlantic Quay  
45 Robertson Street  
GLASGOW G2 8JB Tel: 0141 302 5900  
If you fail to comply with a Repairing Standards Enforcement Order issued by the HPC, you are committing a criminal offence. Failures to comply are reported directly to Police Scotland by the HPC.

## Deposit Schemes

Any deposit should be lodged in any of three approved Deposit Schemes.

### Safe Deposits Scotland

Lower Ground  
250 West George Street  
Glasgow,  
G2 4QY  
Tel: 03333 213136

### Letting Protection Scotland

The Pavilions,  
Bridgwater Road  
Bristol,  
BS99 6BN  
Tel 0330 303 0031

### My Deposits Scotland

Premiere House  
1st Floor, Elstree Way  
Borehamwood,  
WD6 1JH  
Tel: 0333 321 9402

## FURTHER INFORMATION

Landlord Registration Team  
Dumfries & Galloway Council  
[www.dumgal.gov.uk](http://www.dumgal.gov.uk)  
Tel: 01387 273164 / 01776 888411  
Email: [Landlordregistration@dumgal.gov.uk](mailto:Landlordregistration@dumgal.gov.uk)

