

Private Landlord's newsletter

OCT
2019

Changes to Landlord Registration

what Landlords need to know

Significant changes for the registration process affecting Private Sector Landlords came into force on **16 September 2019**. The Private Landlord Registration (Information) (Scotland) Regulations 2019 introduce a more comprehensive and rigorous application process in order to raise general awareness amongst landlords of their legal requirements and to provide better assurance to private rented sector tenants of landlord competence and compliance.

From 16 September 2019 private landlords, who are applying for registration for the first time or are renewing their registration, are required to declare whether or not they comply with specific duties such as:

- **The tolerable and repairing standards**
- **Fire and carbon monoxide safety**
- **Gas and electrical safety**
- **Private water supplies and legionella risk assessment**
- **Energy performance certificates,**

insurance and common repairs on tenement property

- **HMO licences for Houses in Multiple Occupation**

The policy aims to:

- **Raise awareness of Landlord responsibilities**
- **Identify where further support or advice may be required**
- **Ensure that Local Authorities are better informed to carry out the 'fit and proper person' test and**
- **Improve public confidence that anyone who is approved and entered onto the register of landlords is a suitable person to let property**

The new regulations do not impose new duties upon landlords, however, the introduction of the regulations will assist us in ensuring that tenants' homes are safe, good quality and are being managed professionally.

It will also ensure that standards are improved across the private rented sector and private sector landlords are complying with their legal obligations.

In accordance with the requirements of the new legislation the Council shall be carrying out verification checks on a sample of applications for registration to ensure that Landlords are complying with their legal responsibilities.

These checks will include obtaining copies of Gas and Electrical Safety Certificates, Energy and Insurance Certificates etc.

Visits to rented properties may also be undertaken to ensure the condition of properties are up to standard.

For further information on landlords' responsibilities please see:

<https://www.west-dunbarton.gov.uk/business/environmental-health/private-landlord-registration/>

Minimum energy efficiency standards for rented properties

Energy Performance Certificates (EPCs) provide information on how energy efficient your property is, and how it could be improved. Buildings are rated on a scale from **A-G**, with **A** being the most efficient. Information is also provided on measures which could be made to improve the energy efficiency and an indication of the cost for each improvement. An EPC must be produced when a new building has been constructed; and when a building is to be sold or rented to a new tenant.

EPCs are valid for 10 years. They are based on information such as the size and layout of a building,

how it has been constructed and the way it is insulated, heated, ventilated, and lighted. Since people use buildings in different ways, the calculation is based on standardised assumptions of occupancy and use. Homes in the private rented sector are some of the least energy efficient in Scotland. The Scottish Government has announced that minimum energy efficiency standards will be introduced for privately rented housing with effect from April 2020. This measure will improve conditions for tenants in the coldest homes and help to tackle fuel poverty. It will also reduce carbon emissions and help us to meet our climate change targets.

Consultation on these new provisions has recently concluded and the Scottish Government will be publishing regulations covering details of applying the minimum standards and exemptions. This forms part of Energy Efficient Scotland, a wider programme from the Scottish Government to make homes and buildings warmer, greener and more efficient.

By March 2025, properties will require to have an EPC rating of Band D. Please see table below. Landlords who fail to comply with the rules under Energy Efficient Scotland will face fines of up to £4,000. Some exemptions may apply:

Date	EPC Standard	Properties in scope
From 1 April 2020	EPC E	Change in tenancy
By 31 March 2022	EPC E	All tenancies
From 1 April 2022	EPC D	Change in tenancy
By 31 March 2025	EPC D	All tenancies

Further information is available on the following link:
<https://www.gov.scot/publications/energy-efficient-scotland-user-guide-private-landlords/>

Landlord registration update changes to fees

The Scottish Government Fees and Charges for Landlord Registration have now been increased as follows:

- Principal Fee £65**
- Property Fee £15 (per property)**
- Late Application Fee £130**

Discounts are available for:

- Landlords who own properties in more than one local authority area, where their applications are linked
- Joint owners where a lead owner has already paid the principal fee
- Landlords who have a current House of Multiple Occupancy (HMO) licence
- Registered Scottish charities
- All discounts are automatically applied to online applications

If your application is due for renewal please ensure you renew on or before the expiry date to avoid a Late Application Fee. The Registration system issues reminders by email at 90 and 30 days prior to expiry, so please ensure your email address is correct. Please also ensure junk mail or spam folders are checked at regular intervals.

West Dunbartonshire Council is updating its Section 11 Best Practice Protocol

Section 11 of the Homelessness etc. (Scotland) Act 2003 places a duty on all Landlords and creditors to notify the local authority of any repossession proceedings. The duty became a statutory requirement on 1st April 2009.

The duty aims to prevent a homeless crisis. By informing the local authority all parties can work together to prevent homelessness.

West Dunbartonshire is currently updating its Section 11 Best Practice Protocol. We will be discussing it at the next landlord forum so keep an eye out for a date. In the meantime if you wish to comment on it please contact:

Jennifer MacMahon on 01389 737721 or email jennifer.macmahon@west-dunbarton.gov.uk for more info.

Under one roof event

West Dunbartonshire Council hosted a successful 'Under one Roof' event and Landlord Forum at the Council Headquarters, 16 Church Street, Dumbarton on 25 March 2019 and would like to thank everyone who took time out to attend.

'Under One Roof' Scotland, is the widely acclaimed website for flat owners and their advisers in Scotland. It is an impartial online information site and covers all aspects of tenement management and legislation and has technical information on flatted buildings of all ages and types, You might be particularly interested in their article on Private Landlords:

http://www.underoneroof.scot/articles/1343/Repairing_Standard_for_Private_Landlords/Private_Landlords

If you were unable to attend the event some presentations are available on the following link:

<http://www.underoneroof.scot/articles/1565/>

Other formats

This document can be provided in large print, Braille or on audio cassette and can be translated into different community languages. Please contact: Corporate Communications, Council Offices, Garshake Road, Dumbarton, G82 3PU. Tel: 01389 737000

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