

## Advice for Private Landlords and Letting Agents

Development and Regeneration Services (Housing and Regeneration Division)

Glasgow City Council works with landlords, agents and tenants to encourage responsible renting, promote a positive image of private renting and supporting the good practice already going on in the city.

We can give you guidance on the standards for private rented housing, advice on how to go about letting a property and what to do if you have problems. We have a range of powers we can use to ensure people and properties are safe and well managed and tenants are free from harassment and nuisance.

We give help and advice to private landlords to make sure that you can let your properties successfully. If you're thinking about renting out a property, we can explain exactly what's involved, and tell you about your rights and responsibilities, as well as the rights and responsibilities your tenants will have.

Glasgow City Council is providing a periodic newsletter to help keep you up to date with the latest information.



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## Welfare Reform and Housing Benefit Updates

A separate newsletter is provided by our Financial Services department. The newsletter is aimed at all providers of rented accommodation, including Registered Social Landlords operating in the city. The May 2013 edition includes:

- **Local Housing Allowance Rates April 2013 – April 2014**
- **Welfare Reform**
  - Social Sector Size Criteria
  - Discretionary Housing Payment
  - Council Tax Reduction Scheme replacing Council Tax Benefit
  - Scottish Welfare Fund
  - Personal Independence Payments
  - Benefit Cap
  - Universal Credit

*The newsletter can be accessed via the link below:*

[General Information For Landlords](#)

[Financial Services Newsletter](#)

## Housing Intervention and Support Team (HIST)

Recent changes to structures within Development and Regeneration Services has seen the merging of the Private Landlord Registration Unit, The HMO Team and staff dedicated to working in the Govanhill area.

These changes were made to allow better integration of services and to ensure that we maintain and improve our responses to enquiries and complaints.

This new team can provide advice on landlord registration and HMO standards and can respond to complaints of antisocial behaviour and also environmental concerns in the Govanhill area.

*Our contact details are:*

Housing Intervention & Support Team  
Development & Regeneration Services  
231 George Street  
GLASGOW, G1 1RX.

Freephone (UK): 0800 027 0414  
International: 0044 141 276 7583  
Email: [privatelandlordregistrationunit@glasgow.gov.uk](mailto:privatelandlordregistrationunit@glasgow.gov.uk)  
Registration Website: [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk)

## Legislative Change Affecting the Private Rented Sector.

There have been a number of changes which have a direct impact on landlords, their agents and tenants. Some of these key changes which require action by landlords are

### **Tenancy Deposit Schemes.**

As of 15 May 2013 any landlord who holds a tenancy deposit from their tenant must have submitted this deposit to an approved tenancy deposit scheme. There are currently 3 approved schemes operating in Scotland and it is for the landlord to decide which of the schemes to use.

It is common for letting agents to hold deposits on behalf of their landlord clients and many of these deposits have now been paid into approved schemes. Where an agent or a landlord holds a deposit and has not paid this into an approved scheme the landlord can be pursued for compensation by the tenant.

Where a tenant seeks compensation through the Sheriff Court and their landlord has failed to comply with the tenancy deposit regulations, compensation must be awarded to the tenant up to 3 times the value of the deposit paid.

*Information on approved schemes can be found at*

[Safeguarding Tenancy Deposits](#)

## Premiums Charged In Addition to Rent and a Tenancy Deposit.

On 30 November 2012 the Scottish Government reaffirmed that any premium paid in respect of setting up or renewing a tenancy, other than rent and a deposit, are illegal. The type of charges which are therefore confirmed as illegal would include, but are not limited to, fees charged to a tenant for a credit reference, fees for renewing a tenancy agreement or other administrative fees

Landlords or agents found through the courts to be charging illegal premiums face the risk of having their registration revoked.

### Tenant Information Packs.

It is now a requirement for landlords to provide prescribed information to tenants in the form of a Tenant Information Pack. This came into effect on 01 May 2013 and the pack should include, amongst other things, information about the tenancy, the property, the landlord and the responsibilities placed on both landlord and tenant.

*A draft copy of the pack is available at [Tenant Information Pack](#)*

## Inclusion of Landlord Registration Number In Advertisements.

Since 01 June 2013 landlords, or agents acting on their behalf, have a duty to include their landlord registration number in advertisements. This would include, amongst other things, advertising in newspapers or websites but it does not refer to adverts on a notice board at or near the house concerned.

If you have applied for registration and do not have a registration number yet the words 'landlord registration pending' should be displayed in any advertisement.

*More information is available from [Private Rented Housing \(Scotland\) Act 2011](#)*

## Gas Safety and other Legal Responsibilities

The landlord must have any gas appliances checked annually by a Gas Safe registered engineer. The Landlord must provide tenants with a record of the check within 28 days or to a new tenant before they move in and keep the records of each safety check for at least 2 years.

The Landlord must ensure the property has satisfactory provision for detecting fires and for giving warning in the event of fire or suspected fire. Although it is best practice to install mains powered smoke alarms, an existing smoke alarm may be mains powered or battery powered. However, a smoke alarm installed after 3 September 2007 must be mains powered. This includes replacement alarms.

The Landlord must ensure that all tenants who rent a property on or after 4 January 2009 are provided with a valid Energy Performance Certificate. Further details can be obtained from [Building Standards & Energy Performance](#)

The Landlord has a duty to ensure the property meets the repairing standard at the start of the tenancy or earlier and throughout the duration of tenancy. Comprehensive information on the Repairing Standard is included in 'Repairing Standard: An advice pack for Private Landlords'. In addition, the Landlord must tell the tenant about the effect of the Repairing Standard and Private Rented Housing Panel arrangements on the tenancy. A landlord will be able to do this by completing and providing the tenant with the standard letter contained in the advice pack.

[Physical Standards](#)

[Repairing Standard Advice Pack For Landlords](#)



## Power to Obtain Information.

Local authorities now have the power to obtain information from persons connected with private letting activity. In general terms this would include requiring information from landlords, letting agents and tenants.

To provide false or misleading information, in response to a request from the local authority, is an offence.

It is particularly important that letting agents ensure that their clients are properly registered and can legally let their property. It is also important that landlords ensure that all properties which they own and let are properly registered where this is required.

You can update the information held in respect of your application online at [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk) or by confirming any changes in writing to the registration team. Some amendments to your account may incur fees, for example where you add a property to your account. The registration team is happy to provide advice on fees and updating your account.

## Landlord Accreditation.

Glasgow City Council and Landlord Accreditation Scotland (LAS) work in partnership to provide advice and training to landlords and letting agents who let property in Glasgow.

Landlord Accreditation Scotland can provide advice, to members, on their legal responsibilities and good practice. This is particularly important in light of recent legislative change. We encourage participation in this scheme and further information can be obtained from

Landlord Accreditation Scotland Limited  
Hopetoun Gate  
8b McDonald Road  
EDINBURGH, EH7 4LZ

Telephone: 0131 553 2211  
Website: [www.landlordaccreditationscotland.com](http://www.landlordaccreditationscotland.com)

Details of training courses available to landlords and letting agents are available on the LAS website, as well as information on becoming a member.

## Private Landlord Registration (PLRU)

The PLRU has responsibility for ensuring that landlords and their properties are registered where appropriate and that recommendations are made in respect of applications which are received. In making recommendations regard is given to relevant criminal convictions, breaches of the law relating to housing, complaints regarding bad management practice and poor property conditions as well as other matters. Most applications are recommended for approval following initial scrutiny.

At this time there are over 32,000 landlords registered in Glasgow and they own and let over 44,000 properties in the City.

Enforcement action is taken where landlords fail to register, or renew their application for registration. This has resulted in many landlords being charged a late application fee (£110) and issued with rent penalty notices which prevent them from obtaining rent on their properties. The PLRU also continue to challenge poor practice and character which has resulted in a number of landlords being refused registration or removed from the register.

These steps have been taken to support the vast majority of landlords who meet their legal responsibilities and are of good character, by removing the worst landlords from the market.

Many landlords have now come to the point that their application is due for renewal and we write to all landlords and agents before their application has expired, reminding them of the need to renew. It has been found that many applicants have moved address during the period of their registration and some have not updated their contact details. This can lead to additional fees being charged and rent penalty notices being issued where the application is allowed to expire.

It is therefore important that you ensure that the details we hold in respect of your application are up to date to ensure that you receive communication from us and reduce the risk of any penalty.

## Houses in Multiple Occupation (HMO).

There are currently around 3,000 houses in Glasgow which are licensed as HMOs or have an application pending.

The Project Officers who make up the HMO Team have responsibility for ensuring that applications for an HMO Licence are submitted where this is required. The team also have responsibility for ensuring, through inspection, that the property meets minimum legal requirements and that management standards do so also.

The role of these officers is critical to ensuring the safety and welfare of tenants who reside in this type of accommodation. To ensure an effective service is provided the number of staff has increased recently to conduct inspections and ensure unlicensed premises are identified and a licence application submitted. Landlords or agents who act whilst unlicensed may be prosecuted, and can be fined up to £50,000 upon summary conviction.

In the last year there have been a number of reports submitted to the Procurator Fiscal by the HMO Team. This work will continue and other enforcement powers, to suspend rent payments by the tenants, will also be used in the future where houses are found not to be licensed.

It is important to note that whilst the HMO Licensing Regime and Landlord Registration are now part of the Housing Intervention and Support Team (HIST) there is a responsibility placed on landlords to ensure that records held in respect of both regimes are kept up to date. Further advice on this can be obtained by contacting our team.



## Landlord, HMO Licensee and Letting Agent Forums.

We are currently considering introducing forums for landlords and letting agents. These forums would be generally be used to communicate good practice and offer advice on meeting current and future legal obligations. We are considering hosting 3 forums at the outset and these are in the Cardonald area, Brucefield Park in Easterhouse and Govanhill areas.

If you have an interest in attending these forums, or any other forum which may be developed in future you should contact the HIST Team to advise of your interest, by email at [privatelandlordregistrationunit@glasgow.gov.uk](mailto:privatelandlordregistrationunit@glasgow.gov.uk)

If you own or manage HMO Properties in Glasgow, and agree that a separate forum should be held for those involved with HMO properties you should advise the HIST Team of this when expressing your interest to the email address above.

## Housing Options

“Housing Options” is an initiative set up by the Scottish Government to prevent homelessness through a re-focusing of existing services and resources which is centered on the needs of the individual.

Housing options enables local authorities and their partners to provide advice to would-be renters and home owners on the various options available to them. In Glasgow, there is recognition that there is a limit to the supply of social rented housing and that a social rented tenancy or homelessness application is not necessarily the most appropriate solution. The focus is in ensuring that whatever option is available, it should meet the specific circumstances of the client, with a focus on ensuring that people are able to sustain a tenancy should they opt to rent.

The potential benefits include

- greater collaboration and integration of services,
- improved access to advice and information,
- improved customer choice
- improved outcomes for customers through greater focus on homelessness prevention
- potential cost savings through sharing of resources and reductions in use of temporary accommodation

Opportunities for the involvement of the private rented sector to play a greater role in providing appropriate solutions for potential households seeking accommodation are beginning to emerge. One such initiative is the Glasgow Key Fund described below.

## Glasgow Key Fund

Glasgow City Council is working in partnership with Ypeople through the Glasgow Key Fund to help people who are homeless or threatened with homelessness to find a solution to their housing needs through the private rented sector.

The Glasgow Key Fund provides two separate services – a temporary accommodation service and a rent deposit guarantee service.

Under the temporary accommodation scheme Ypeople will lease properties from landlords and rent them to households in housing need referred from Glasgow City Council's Homelessness Service. Ypeople is responsible for all management issues associated with the property for the duration of the lease, including all contact with tenants. At the end of the lease the property will be returned to the landlord with vacant possession in the same condition – less fair wear and tear.

What are the benefits for Landlords?

- Guaranteed rent – we will guarantee to pay the rent agreed between Glasgow Key Fund and the landlord every month for the duration of the lease, regardless of whether the property is occupied or not.
- Guaranteed property condition – we will guarantee to return the property to you in the same condition less fair wear and tear.
- Advice and information – Glasgow Key Fund staff can provide advice and assistance on a range of issues including statutory safety requirements.
- Property visits – Glasgow Key Fund staff will make regular visits to your property.
- Hassle free renting – leasing your property to Ypeople removes all the hassle and pitfalls renting can involve. You can sit back and watch the rent go into your bank account each month with the peace of mind that your property is being well looked after

We are looking for all types of self-contained properties between studio and four bedrooms in size. The properties must be located in the Glasgow City Council local authority area. On occasion we may also require larger properties.

Under the rent deposit guarantee scheme Ypeople provides a written guarantee to landlords in place of a cash deposit which covers loss or damage to the property/inventory items caused by the tenant (or visitors) which is not caused by reasonable wear and tear. The rent deposit guarantee service is available to both the tenant and the landlord at any time to offer support, advice and advocacy if required.

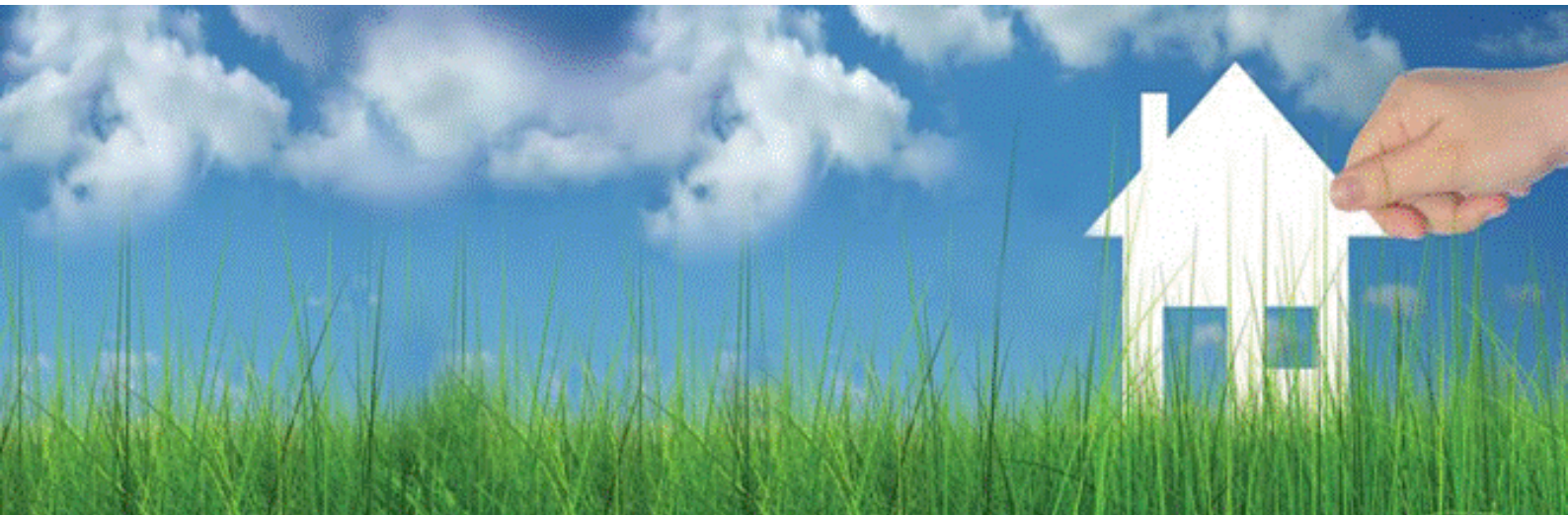
If you would like your property to be considered for the rent deposit and/or the temporary accommodation service, please contact the Glasgow Key Fund on 0141 565 1212 or at [glasgowkeyfund@ypeople.org.uk](mailto:glasgowkeyfund@ypeople.org.uk).

## Green Deal: Landlord Green Appliance Scheme

<http://margaretburgessmsp.org/wp-content/uploads/2012/11/MB-Main-Photo1.jpg>

Private sector landlords may be eligible for contributions towards the cost of replacing household appliances such as fridge/freezers, dishwashers and washing machines.

*Further details at [Energy Saving Trust](#)*



## Launch of Scottish Government Private Sector Strategy

On 30th May, the Scottish Government launched its strategy for the private rented sector “A Place to stay, a place to call home” at the Shelter Conference on Unlocking the Potential of the Private Rented Sector, held in Edinburgh and Chaired by John Blackwood, Director of the Scottish Association of Landlords. The keynote speaker was Margaret Burgess, Housing & Welfare Minister at the Scottish Government. The report is available at [A Strategy for the Private Rented Sector in Scotland](#).

Presentations were made by a number of speakers, on a full range of subjects including:

- Unlocking the potential of the private rented sector
- RentingScotland.org – a new website for tenants and landlords
- Tenancy Deposit Schemes – raising awareness
- Welfare reform: implications for the PRS
- Implications of a housing tribunal for Scotland
- Office of Fair Trading report on the private lettings market
- Improving housing quality in the private rented sector in Glasgow
- Improving energy efficiency in the private rented sector

These can be downloaded directly from Shelter Scotland’s website by clicking

[SHELTER CONFERENCE](#).

### *Links to Other Private Housing Matters*

Further information on a landlord’s responsibilities and good practice is available from

[Scottish Core Standards for Accredited Landlords](#).

