

## **HMO** - Date/Legislation: October 2000 (amended in 2006)

**Purpose:** To inform the Landlords about the HOUSES IN MULTIPLE OCCUPATION. Tenants that intends to manage the property and lets out rooms with their friends must obtain a license. And license must be obtained by the owner.

**Act:** The Civic Government (Scotland) Act 1982 & Housing (Scotland) Act 2006

More information: <http://www.gov.scot/Publications/2004/07/19731/40888>

## **Legionella** - Date/Legislation: Requirement from 2001 & revised 2013

**Purpose:** To ensure tenants safety on their health especially on hazardous disease like Legionella that can be acquired by any tenant because the Landlord failed to check his property for any contaminated water.

**Act:** Health and Safety at Work Act 1974 & **Control of Substances Hazardous to Health Regulations 2002**

More information: <http://www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm>

## **Anti-social Behaviour** - Date/Legislation: October 2004

**Purpose:** To inform Landlords of their responsibility regarding any tenants antisocial behaviour. Landlords must provide an action to stop any antisocial behaviour of their tenants reported by their neighbours or from the agent that manages the property.

**Act:** Antisocial Behaviour etc. (Scotland) Act 2004

More information: <https://www.mygov.scot/tenant-antisocial-behaviour/>

## **Landlord Registration** - Date/Legislation: April 2006

**Purpose:** To ensure that a landlord is fit and proper person and to allow neighbours/general public to contact the responsible day to day manager who is managing the property

**Act:** Antisocial Behaviour etc. (Scotland) Act 2004

More information: <https://consult.gov.scot/landlord-registration/registration-fee/>

## **Energy Performance Certificate (EPC)** - Date/Legislation: December 2008

**Purpose:** To provide new tenants on the EPC of the property. The EPC rating will be required for inclusion in property advertisements in commercial media and must be available for issue to all prospective tenants.

**Act:** The Energy Performance of Buildings (Scotland) Regulations 2008

More information: <http://www.gov.scot/Topics/Built-Environment/Building/Building-standards/enerperfor/epcguidance>

## **Tenancy Deposit Scheme** - Date/Legislation: March 2011

**Purpose:** To protect tenants deposits in a custodial scheme that which is free to use for landlord and tenant, the 3 companies running the schemes are underwritten/regulated by the government and return the tenants deposit directly to the tenant unless a claim is made

**Act:** The Housing (Scotland) Act 2006

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

## **Letting Agency fees** - Date/Legislation: August 2012

**Purpose:** To avoid tenants from paying anything other than the rent and deposit. It is illegal for a Landlord or any letting agency to ask for other payments like administration cost or payments for setting up the tenants lease. Tenants have the right to claim a refund for any fees that have been charged anytime in the last five years.

**Act:** Private Rented Housing (Scotland) Act 2011

More information: <http://eptag.org.uk/about-us/tenancy-fees/>

## **Advertising (Displaying EPC Indicator & Landlord Registration no.)** - Date/Legislation – January 2013

**Purpose:** To ensure that the Landlord or the letting agent have made all the necessary things on their property like making sure all the smoke detectors are working, all electrical fixtures are working before advertising the property. The Landlords need to provide their landlord registration number and your property's Energy Performance Certificate.

**Act:** Energy Performance of Buildings (Scotland) Regulations 2012 & Private Rented Housing (Scotland) Act 2011

More information: <https://www.mygov.scot/renting-your-property-out/getting-the-property-ready/>

## **Repairing Standard** - Date/Legislation: December 2015

**Purpose:** To assure that the tenants will have a comfortable living on their newly rented place. Landlords are obliged to do all the repairs before tenants occupy their property and Landlords must also repair and maintain their property from the tenancy start date and throughout the tenancy.

**Act:** Housing (Scotland) Act 2006

More information: <https://beta.gov.scot/publications/repairing-standard/>

## **Electrical safety checks increased** - Date/Legislation: December 2015

**Purpose:** To ensure the Electrical safety of the tenants. Tenants should be safe when using any electrical fittings and any electrical appliances during their tenancy. Landlords are responsible for ensuring that an electrical safety inspection of their property is carried out by a registered electrician at least every five years.

**Act:** Housing (Scotland) Act 2006

More information: <https://www.electricalsafetyfirst.org.uk/guides-and-advice/scottish-landlords/>

## **Co detection alarm** - Date/Legislation: December 2015

**Purpose:** To ensure that the Co alarms are properly working, installed correctly and in good condition for the tenants safety.

**Act:** Housing (Scotland) Act 2014

More information: <https://beta.gov.scot/publications/carbon-monoxide-alarms-in-private-rented-properties-guidance/>

## **Smoke/heat Alarm** - Date/Legislation: December 2016

**Purpose:** To ensure that the smoke/ heat alarms are properly working, installed correctly and in good condition for the tenants safety and prevent properties to be damaged. Landlords should ensure that smoke and heat alarms are regularly maintained in accordance with the manufacturer's recommendations.

**Act:** Private Housing (Tenancies) (Scotland) Act 2016

More information: <https://beta.gov.scot/publications/fire-safety-guidance-private-rented-properties/>

## **Private Rented Tenancy Agreement (PRT)** - Date/Legislation: December 2017

**Purpose:** To inform tenants on the new policy on tenancy. Changes have been done on December 2017 on the terms of tenancy, rent increase and notice period. Tenants are given the right to a written agreement within 28 days of the start of tenancy. Landlords can either use Scottish Government's' model tenancy or the private residential tenancy statutory terms.

**Act:** Private Housing (Tenancies) (Scotland) Act 2016

More information: <https://rentingscotland.org/private-residential-tenancies/>

## **Tenant Information Packs (legislation now superseded)** - Date/Legislation: December 2017

**Purpose:** To provide guidance on the important information to the tenants. These includes information for Landlords and letting agents and also information for the tenants that PRT has been in effect since Dec. of 2017.

**Act:** Housing (Scotland) Act 1988 & Housing (Scotland) Act 2014

More information: <http://www.gov.scot/tenant/info>

## **Letting Agent Code of Practice (from 31.01.18)** - Date/Legislation: January 2018

**Purpose:** For the letting agents to comply with the code that sets out standard expected of letting agents operating in how they manage their business and provide their services. If the letting agent does not comply with the code, the landlord or the tenants can file for a complain.

**Act:** The Letting Agent Code of Practice (Scotland) Regulations 2016

More information: <https://www.legislation.gov.uk/sdsi/2016/9780111030912>

## **Letting Agent Registration (incl qualification)** - Date/Legislation: October 2018

**Purpose:** For the letting agents to know responsibilities and follow the Letting agent code of practice. Must be a registered letting agent to make sure that the letting agent is suitable to do the job or else it will be a criminal offense if the letting agent is not registered.

**Act:** Letting Agent Registration (Scotland) Regulations 2016

More information: <https://www.mygov.scot/letting-agent-registration/>

## **HMRC Tax changes on Mortgage Interest**

The government has decided to phase in the new mortgage interest rules over a four year period. You'll see the amount of mortgage interest tax relief steadily falling each year:-

- In the 2017-18 tax year, you can claim 75% of your mortgage interest tax relief
- In the 2018-19 tax year, you can claim 50% of your mortgage interest tax relief
- In the 2019-20 tax year, you can claim 25% of your mortgage interest tax relief
- From April 2020, you can claim 0% of your mortgage interest tax relief

From April 2020, landlords will no longer be able to deduct their mortgage costs from their rental income. All of the rental income you earn will be taxable, and you'll instead receive a 20% tax credit for your mortgage interest. This means you can cut your final tax bill by 20% of your interest.