

Key Notes

East Lothian Council's Newsletter
for Private Sector Landlords

Issue 16
September
2024



In this issue:

Scottish Letting Day 2024

Energy Performance Standards

Home Energy Scotland

Housing (Scotland) Bill

Landlord Accreditation



Scottish Letting Day 19 November 2024

Scottish Association of Landlords Conference

This event will be held at Scottish Gas Murrayfield Stadium and is aimed at landlords, agents and letting professionals. There is a programme of speakers and a trade exhibition. Tickets are available from scottishlandlords.com

Energy Performance standards

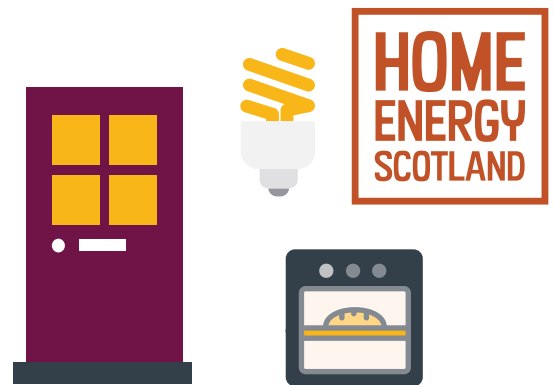
The Scottish Government has been planning to introduce a minimum energy efficiency standard in the private rented sector (PRS) for over 10 years and the proposals have changed many times over this period. The most recent proposals include two new requirements:

Properties must meet a 'minimum energy efficiency standard' by 2028 (PRS properties) and 2033 (owner-occupied properties)

This is a different approach to regulating energy efficiency, removing the minimum EPC requirements and instead basing the requirement on a prescribed set of measures to be installed in the property. The proposed list of measures is currently:

- 270mm loft insulation
- Cavity wall insulation
- Draught-proofing
- Heating controls
- 80mm hot water cylinder insulation
- Suspended floor insulation

The list does not include more expensive or potentially disruptive measures such as solid wall insulation. Properties which already meet a fabric efficiency EPC rating of C will not have to comply with these measures.



Home Energy Scotland

Whether you're looking to discuss your Energy performance Certificate (EPC), various funding options or have an in-depth property assessment, Home Energy Scotland can help.

The organisation provides free, impartial advice, funded by the Scottish Government and supported by a network of specialist advisors. Specialists can give advice over the phone and can decide if a property visit would be more appropriate.

Telephone lines are open from Monday to Friday, 8am to 8pm and Saturday, 9am to 5pm.

Find more information and contact details [HERE](#)

Housing (Scotland) Bill

If approved by MSPs, the proposed legislation will become an Act of Parliament.

Typically, it can take around three years for proposed legislation to work its way through parliament and come into force. Expected timescales for this Bill is as follows:

Stage 1 – MSPs decide whether parliament agrees with the general principles of the Bill. Complete by end October / early November 2024

Stage 2 – MSPs can propose and vote on amendments. Complete by late spring 2025

Stage 3 – Final amendments are proposed / considered and parliament votes on whether the Bill should become law. Complete by late spring 2025

Bill receives Royal Assent and becomes an Act of Parliament. Summer 2025.

Secondary legislation on the finer details of how the measures will operate then needs to be published and considered and is likely to take place during 2025–2026. The earliest date for provisions to come into force is likely to be during 2027–2028 and different provisions usually come into force at different times.

Primary measures of the Bill include:

Rent control

This will require local authorities to assess rents in their area at least every five years and recommend whether Ministers should impose rent controls. If a rent control area is designated, annual rent increases on private residential tenancies (PRT) would

be restricted by a percentage or formula in those area(s) for up to five years.

Changes to rent increase procedures

Outwith any rent control areas there would be no restrictions on rent increase amounts but rises would not be able to take place during the first 12 months of a PRT.

Ending joint tenancies

The proposal would allow one tenant (of a joint tenancy) to give notice to end the tenancy for all tenants after a two-month consultation period. Tenants who wish to stay could negotiate terms for a new tenancy with their landlord.

Personalisation of property

This would allow PRT tenants to make minor modifications without consent e.g. putting up pictures. More major alterations (e.g. painting walls) would require consent from the landlord which could not be unreasonably refused.

Pets

Tenants would have the right to ask permission to keep a pet. Again, landlords would not be able to unreasonably refuse the request.

Greater protection during eviction

The First-tier Tribunal (FTT) would need to consider whether it is reasonable to delay the enforcement of evictions to prevent particular hardship or harm to tenants.

Phasing out assured and short-assured tenancies

This would allow Ministers to set a date on which these type of tenancies convert to PRTs.

The full wording of the Bill can be found at the Scottish Parliament Website [HERE](#)

As well as the Core Information Programme (below), LAS run a Best Practice Programme covering:

- Creating Inventories
- Dealing with abandonment
- Dealing with anti-social behaviour – the requirement for evidence
- Chasing the debt
- Dealing with difficult tenants

- Dealing with rent arrears

CORE INFORMATION PROGRAMME

Managing common repairs

4 September 2024

2.00pm to 3.00pm

This webinar provides landlords with a guide to the regulations involved in joint repairing responsibilities that come with the ownership of property with communal obligations. It relays the latest information about recent changes to the Repairing Standard.

Topics include:

- Rights and obligation of tenement flat owners
- Managing common repairs
- Working with property factors
- Managing payment for common repairs

Landlord guide to changes during a tenancy

10 September 2024

10.00am – 11.00am

Changes during a tenancy can be daunting to deal with, especially if you don't have a base knowledge in the legislation and guidelines behind the changes that can occur in a tenancy.

This webinar provides landlords with essential information on handling change that may occur during a tenancy.

The course will cover regulations in place when dealing with a change of:

- Landlord / tenant / guarantor
- Rent
- Deposit
- Notification of other residents
- Changes to leases

Ending a tenancy, the legislation: understanding notice grounds and getting the paperwork right

18 September 2024

2.00pm – 3.15pm

This is an essential webinar for all those involved in serving notices for both Private Residential Tenancies (PRT) and Short Assured Tenancies (SAT), to ensure that landlords have the knowledge needed to successfully complete and serve the correct notice.

Topics include:

- Understanding the grounds for repossession of a PRT and SAT
- Getting the timing right
- Completing and serving notices for both PRT and SAT

All courses and webinars run by LAS can be found listed on their website landlordaccreditationscotland.com and can be booked online.



Data protection for lettings

1 October 2024

2.00pm – 3.00pm

When letting property you are effected by data protection laws and a solid understanding of these laws is vital. This webinar deals with the legislation in place that makes dealing with GDPR part of letting private property.

Topics include:

- The requirement to register
- Managing data during a tenancy
- Retaining data following a tenancy
- Sharing data
- Privacy policies
- Breaches and consequences of non-compliance

Managing the end of a tenancy

9 October 2024

10.00am – 11.00am

This webinar deals with the communication and associated tasks when the tenancy is coming to an end, considering the reason for the tenancy ending.

Topics include:

- Landlord ending the tenancy including dealing with anti-social behaviour
- Tenant ending the tenancy
- Communication with tenant about end of tenancy requirements
- The checkout inspection and follow up

Safety compliance and certification for private rented property

9 October 2024

2.00pm – 3.00pm

This webinar brings landlords up to date with all the health and safety requirements when letting property, including ongoing compliance and all necessary certifications.

Topics include:

- Health and safety legislation
- Safety requirements and certification
- Maintenance and safety compliance

Understanding landlord repairing and maintenance obligations

16 October 2024

10.00am – 11.00am

This webinar deals with landlord repairing obligations and how these need to be managed at all times. It will look at the general principles regarding repairs and maintenance in privately rented property.

Topics include:

- Tolerable & Repairing Standard – what are they and what are landlord obligations
- Responsibility for repairs and maintenance
- Tenant responsibilities
- Introduction to the role of the Housing & Property Chamber – First-tier Tribunal

Preparation for possession actions

17 October 2024

2.00pm – 3.00pm

This webinar deals with the process involved if a tenant does not leave a property on the stated end date despite all the appropriate notices having been served correctly. It will guide you through the steps necessary to bring a possession action through the First-tier Tribunal for Scotland (Housing and Property Chamber).

Topics include:

- Grounds for repossession under the Private Residential Tenancy
- What happens when your tenant refuses to leave after the notices have expired
- Preparation for making an application to the First-tier Tribunal
- The eviction order

Managing tenant complaints

23 October 2024

2.00pm – 3.00pm

This webinar helps landlords develop skills to deal with challenges that may arise during a tenancy, learning how to manage/de-escalate situations whilst maintaining high customer service standards.

Topics include:

- Recognising patterns of conflict unique to communicating by telephone
- Specific skills to manage/control calls
- Managing tenant expectations
- Defusing difficult situations with tenants
- Bringing matters to a conclusion

Landlord Guide to finding a tenant and offering a tenancy

29 October 2024

2.00pm – 3.00pm

Success when renting your property start off with finding the ideal tenant. By ensuring you follow best practice and legislative requirements, you can ensure that you find the best tenants for your property.

Topics include:

- Advertising the property
- Conducting viewings
- Applications
- Deposits
- Using a letting agent

All courses and webinars run by LAS can be found listed on their website landlordaccreditationscotland.com and can be booked online.

Contact Information

Landlord registration

01620 820623

landlordregistration@eastlothian.gov.uk

Short-term Lets Licencing

01620 827664

stl@eastlothian.gov.uk

HMO Licensing

01620 827664

hmo@eastlothian.gov.uk

Housing Benefit and Council Tax

01620 827730/7729 (Benefits)

01875 824314 (Council Tax)

www.eastlothian.gov.uk

Useful websites (click text to link to website)

Private Residential Tenancy

Tenancy Deposit Scheme

My Deposits Scotland

Letting Protection Service

Safe Deposits Scotland

Landlord Registration

Housing and Property Chamber,
First Tier Tribunal

Landlord Accreditation Scotland

The Repairing Standard

Scottish Association of Landlords

Health & Safety Executive

Electrical Safety Council

Gas Safe

Energy Saving Trust

East Lothian Council

To make a comment, suggestion or complaint about a council service,
visit our website at www.eastlothian.gov.uk



Versions of this leaflet can be supplied in Braille, large print, audiotape or in your own language. Please phone customer services if you require assistance on 01620 827 199