

Supporting
you

Welcome to
East Dunbartonshire
Council's newsletter
dedicated to landlords
in the private sector

Prescribed Information - what does it mean for landlords?

From 16th September 2019, The Private Landlord Registration (Information) (Scotland) Regulations come into force. This introduces a more stringent application process that will raise the profile of what is legally required by landlords and ensure that standards improve.

The change to the regulations will apply to new applications, application updates and amendments. Landlords will be required to declare they comply with specific duties in relation to:

- 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 introduction of this policy aims to:

- Raise awareness about landlord responsibilities.
- Identify where further advice or support for landlords may be required.
- Ensure that local authorities are better informed to carry out the fit and proper person test.
- Improve confidence that anyone who is approved and entered onto the register is a suitable person to let houses.

PLEASE NOTE that the new regulations do not impose new duties upon landlords. As a registered landlord these legal obligations should already be met.



Enforcement action in East Dunbartonshire

Since the introduction of East Dunbartonshire Council's new platform for considering the fitness and propriety of private landlords in August 2018, the Housing Appeals Board has revoked the registration of one landlord and two other landlords have been required to appoint professional management agents to act on their behalf.

Landlord Registration Fees

Fees were increased on 11 June 2019 for the first time since the introduction of Landlord Registration in 2006.

The new fees are:

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
- joint owners
- landlords who have a House of Multiple Occupancy (HMO) licence
- Scottish charities

There are some situations where you don't have to register with a council to rent out a property.

These include:

- holiday lets
- houses managed by religious orders
- houses with a resident landlord
- houses with agricultural and crofting tenancies
- letting to family members
- houses providing care services governed by Care Inspectorate regulation

Late Application Fees

Existing landlords, **including joint owners**, must lodge a renewal application before the current registration expires if they are still letting property. Failure to do so is a criminal offence and the supporting legislation dictates that, where a registration has been allowed to expire, a Late Application Fee shall be payable. **This fee is set at £130.**

Although the majority of landlords renew their registrations in good time, the number of landlords incurring a Late Application Fee is higher than we would estimate.

We are keen to help landlords maintain compliance and avoid the Late Application Fee – please see the following advice:

Many of our emails nowadays can end up in junk or spam folders, please check these folders at regular intervals, there is a three month window between the first reminder and a registration expiry which allows ample time for periodic checking of these folders

Joint owners must register / renew in their own right, a lead owner cannot register or renew on behalf of second or subsequent owners. Although second joint owner fees are typically waived, Late Application Fees are applied to joint owners whose registrations have lapsed

The Landlord Registration system issues reminders by email at 90 days and 30 days before a registration expires, please ensure the email address held on your registration is current and correct. Landlords are required by law to keep their registration details up to date

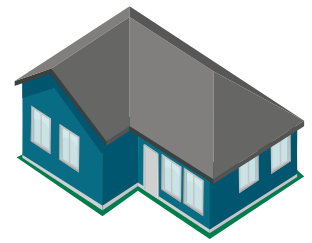
The Late Application Fee is the first enforcement step for landlords letting property without a valid registration. The next step is a Rent Penalty Notice, where rent is ceased for all let properties, the ultimate sanction is to have a registration revoked and for prosecution action to be considered. Please keep within the law and ensure that registrations are kept up to date

The Landlord Registration system was enhanced further this year by introducing a summary page at the start of the 'Your Registration' journey (landlordregistrationscotland.gov.uk), this lists all a landlord's registration, expiry dates and the let properties. If you are unsure when your registration expires please take a moment to check

Letting Agent Registration

There is no requirement to hold both a Letting Agent Registration and a Landlord Registration within East Dunbartonshire Council. Please advise the Landlord Registration Officer at East Dunbartonshire Council of your Letting Agent Registration reference and if you haven't yet received this, the application reference you would have received when first applying for Letting Agent Registration. When your landlord registration expires, you will be removed from East Dunbartonshire Council's register.

You will also have to advise your clients when you receive your new Letting Agent Register reference number – all individual landlords will be required to update their own registrations with your new LARN reference.



Useful websites

Private Residential Tenancy	www.mygov.scot/tenancy-agreement-scotland/
Tenancy Deposit Scheme	www.mygov.scot/tenancy-deposits-landlords/
My Deposits Scotland	www.mydepositsscotland.co.uk
Letting Protection Service	www.lettingprotectionscotland.com
Safe Deposits Scotland	www.safedepositsscotland.com
Landlord Registration	www.landlordregistrationscotland.gov.uk
The Repairing Standard	www.gov.scot/publications/repairing-standard/
Housing and Property Chamber	www.housingandpropertychamber.scot/
First Tier Tribunal	www.housingandpropertychamber.scot
Landlord Accreditation Scotland	www.landlordaccreditationscotland.com
Scottish Association of Landlords	www.scottishlandlords.com
Health & Safety Executive	www.hse.gov.uk
Electrical Safety Council	www.esc.org.uk
Gas Safe	www.gassaferegister.co.uk
Energy Saving Trust	www.energysavingtrust.org.uk/scotland

Contact Information

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