



From mountain to sea

# Landlords Matter



Feb 2021



Welcome to Aberdeenshire Council's Winter edition of  
***Landlords Matter***

If you have any news or views that you would like included in a future edition please let us know e-mail:  
[landlordregistration@aberdeenshire.gov.uk](mailto:landlordregistration@aberdeenshire.gov.uk)

Please note, although our offices are closed to the public our Landlord Registration Team can still be contacted on 01467 534853.



Don't forget to update your registration with any changes e.g to name, address and email address as you may miss out on important notifications from us.

If using a letting agent their LARN number should be entered at the property details on your registration. Login here <https://www.landlordregistrationscotland.gov.uk/>

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## Coronavirus (COVID-19): guidance for private landlords and letting agents

Advice and guidance for private landlords and letting agents can be found on the [Scottish Government website](#).

This website is updated regularly as restrictions change.

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## Information on Ending Tenancy During the Covid 19 Outbreak

Including the temporary extension of notice periods can be found on the Scottish Governments website <https://www.gov.scot/publications/coronavirus-covid-19-landlord-and-letting-agent-faqs/>

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### Eviction Ban Extension

A temporary ban on eviction orders has been extended until 31 March 2021. The ban applies to all areas within Tier 3 or Tier 4, with the exception of evictions for serious anti-social or criminal behavior.

Eviction hearings can still go ahead, eviction orders can still be granted and landlords can still serve notice to tenants. The ban only applies to the enforcement part of the eviction process, which means that Sherriff officers cannot remove tenants from property whilst the ban is in place. Further information can be found on The Scottish Governments Website <https://www.gov.scot/news/eviction-ban-extended>

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### Pre Action Requirements for Seeking Repossession for Rent Arrears

New measures came into force on 30 September 2020 to support landlords to work with tenants who are struggling to pay their rent through The Rent Arrears Pre-Action Requirements (Coronavirus) (Scotland) Regulations 2020.

Scottish Government have provided useful guidance for landlords which can be found on their website <https://www.gov.scot/publications/coronavirus-covid-19-guidance-for-private-landlords-on-seeking-repossession-of-private-rented-housing-on-rent-arrears-grounds/pages/summary/>

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### New Rent Arrears Resolution Service

SDS Resolution is a new service from SafeDeposits Scotland introduced to help tenants and landlords who have experienced problems with rent arrears under lockdown.

SDS Resolution is completely free and available to all landlords and tenants in Scotland's private rented sector, regardless of whether their deposit is protected by the scheme or not.

The service is designed to establish a satisfactory resolution specifically to rent arrears, without the need for further action with the aim of helping to avoid tenants being evicted by ensuring that landlords can recover some or all of the arrears over time.

For further information, and steps on how to begin a resolution referral, follow this link <https://www.safedeposits.scotland.com/blog-admin/tag/private-rented-sector-scotland/> which provides general helpful information.

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### Repairs and Essential Safety Checks

Where safe and in line with other Scottish and UK Government guidance landlords should make every effort to review and address issues brought to their attention by their tenants.

Repairs, gas and electrical safety checks and energy performance assessments should be conducted in the period between a property being vacated and a new tenant moving in. However, if visits are needed to an occupied property, this should be done by appointment with measures put in place to ensure physical contact is minimised, for example with residents staying in another room during the visit.

Landlords should make every effort to abide by gas safety and electrical safety requirements, which continue to be of great importance for tenants' safety. This may be more difficult due to restrictions associated with the COVID-19 outbreak, for example where a tenant has COVID-19 symptoms, is self-isolating or shielding. Read the latest guidance for landlords from HSE here <https://www.gassaferegister.co.uk/help-and-advice/covid-19-advice-and-guidance/>

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### Energy Efficiency Regulations in the Private Sector

Scottish Government have decided again to delay the laying of the new energy efficiency regulations within the private rented sector. You may have been aware these were previously paused in March of 2020 as a direct response to the pandemic, and had been planned to be reintroduced in January of this year, to come into law in April, with the first standard requiring properties to reach EPC D for new tenancies from April 2022.

**We will update you again once further information on these regulations are made available.**

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## Helping Tenants Create a home

A recent study carried out by UK housing experts has found that landlords play a significant role in helping tenants to feel at home. Tenants are more likely to look after the property and stay longer when they are supported to “feel at home” which in turn benefits landlords.

The research includes key recommendations for landlords to consider.

These are:

- 1 Invest in property quality, adaptations and energy efficiency
- 2 Do repairs fast and well
- 3 Don't jump to conclusions when selecting new tenants
- 4 Think about renting to families and tenants with pets
- 5 Negotiate with tenants about personalising the property
- 6 Be respectful and supportive

Further information of these recommendations can be found within the helpful guidance leaflet that has been created for landlords available on the University of Stirling's website <https://stir.app.box.com/s/>



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## Why is there a fee for Landlord Registration?

The overall aim of landlord registration is to improve the standards within the private rented sector, it allows for local authorities to determine if landlords are “fit and proper” to lease property within the area.

The fees for landlord registration are used to cover the administration costs in relation to landlord registration within the local authority. We cover a wide range of functions when processing applications including scrutinising, processing and making determinations on each application received.

This includes considering any material which shows the individual has

- committed any offence involving fraud, dishonesty, violence or drugs, sexual offences and firearms
- practiced unlawful discrimination in any business activity
- contravened any provision of the law relating to housing or landlord and tenant relations

All applications go through robust scrutiny checks with Police Scotland and other council services to ensure that they are “fit and proper” persons to become a landlord. So far this year the team and our partners have scrutinised a total of 1983 applications.

We have revoked 2 landlords registrations and have refused 2 who we determined were not “fit and proper” to be landlords within Aberdeenshire.

We have identified 183 unregistered landlords through various sources of information available to us, we ensured that they become registered and their properties meet the appropriate standards.

We have carried out 727 routine checks with landlords to ensure that their properties meet the required standards and have adequate gas and electric safety certificates. From the 727 checks, 149 (20%) failed to meet the standards and required further advice and assistance to meet these.

We have 4 active cases where we have supported tenants with applications to the Housing and Property Chamber, 2 of which have Repairing Standard Enforcement Orders in force.

In addition to the application process we provide guidance and assistance to landlords and tenants in relation to all aspects of private renting. We keep our landlords informed when there are changes to legislation in the private rented sector, provide this newsletter, produce landlord and tenant information leaflets and ensure information on the private rented sector is updated on the [Aberdeenshire Council website](#).

We provide training sessions in partnership with Landlord Accreditation Scotland (further info below on how you can book on a course) and we also host free annual information sessions for our landlords in Aberdeenshire.

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## Private landlord survey – thank you for your response!



We recently sent an online survey to registered landlords about working together with the Council to provide housing for people in urgent need and improve tenancy sustainment in the private sector.

Thank you so much to every landlord who took the time to inform our work, and ultimately to help people in urgent housing need in our local authority, at what is a very challenging time for all.

The survey has helped us understand landlords' opinions and needs in relation to working together in future. As part of our rapid rehousing work, Aberdeenshire Council is now following up on the findings.

We've heard loud and clear that landlords would like support from the Council if they were to house one of our clients in urgent housing need and would especially value a single point of contact. You told us you want support/collaboration on benefit issues, and when a tenancy runs into problems. You also told us that support for tenants themselves is key, where that is needed. We are now looking at different approaches to how this can be done, further information will be made available to landlords once this has been established.

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## Landlord Training

Landlord Accreditation Scotland promotes best practice in the Scottish private rented sector. LAS run a series of training courses which are now being delivered virtually, to enable landlords to adopt this practice and to ensure they remain updated with changes to legislation and how to deal with the day to day management of rental property.

Landlords do not need to be accredited to attend the training courses. Anyone involved in letting property in the private rented sector in Scotland is welcome to attend.

The cost of the courses is kept to an extremely affordable level to encourage as many people as possible to attend.

The courses are run by experienced tutors including housing law, tax and accreditation specialists ensuring that landlords and agents receive the most relevant information in an informal environment.

Their course calendar is available on their website <https://www.landlordaccreditationscotland.com/courses-calendar/>

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## Private Sector Leasing Scheme

Thank you once again to all landlords who have kept in touch regarding the next phase for the Resettlement of Syrian Refugees. Phase 7 of the programme remains on hold and landlords should continue to advertise their properties on the open market. We will be in touch with an update as soon as we have a time frame for proceeding.

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## Landlord Registration Fee Increase

From 9am on Thursday 1 April 2021 the Landlord Registration fees will increase to:

Principal fee: £67

Property fee: £15 (per let property) (no increase)

Late application fee: £133

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