

Key Notes

East Lothian Council's Newsletter
for Private Sector Landlords

Issue 9
June
2022



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Letting Agent qualifications

The Chartered Institute of Housing in Scotland (CIH) is undertaking a review of professional qualifications for letting agents in Scotland.

As part of this study, the CIH want to hear from landlords to find out if these qualifications have had an impact on any dealings that you have with letting agents and also to hear your views about the role of training and qualifications in the residential lettings sector generally.

If you would like to complete the survey please follow this landlord survey link –

LETTING AGENTS QUALIFICATIONS [↗](#)

The study is being undertaken for CIH by Indigo House, alongside their research partner IBP Strategy and Research, and they are asking that people complete the survey by the planned closing date of 1st July.

If you have any questions about the survey content, then IBP would be happy to help.

Please contact Fraser Gilfillan at f.gilfillan@ibp.eu.com, or contact IBP's offices on T: **01698 532021**.

Local Housing Strategy

East Lothian Council is preparing a new Local Housing Strategy which will set priorities to guide the delivery of new homes and housing services over the next 5 years (2023–27). To build the new strategy, East Lothian Council must assess whether previous LHS priorities still represent the main issues that need to be tackled today or whether a new set of local priorities should guide action, partnership and investment.

The private rented sector in East Lothian plays a very important role in meeting housing need. To ensure the Local Housing Strategy is based on up-to-date information on the private rented sector and reflects the key issues facing private landlords in East Lothian, we are asking landlords to complete a short survey. It should take no more than 10 minutes to share your views.

The survey is part of a wider consultation programme that will provide further

opportunities for private landlords to help shape the LHS over the next 5 years. All of the information you provide in the survey will be kept in the strictest confidence and used for research purposes only. It will not be possible to identify any particular individual or address from the results.

The survey will be launched on the 1st July and there will be options for landlords to complete it online or via a telephone interview. For landlords who wish to book a telephone interview, please email landlordregistration@eastlothian.gov.uk with your name, address and telephone number. A member of the research team (Research Resource) will then be in touch to schedule an interview.

For landlords who wish to complete the survey online, an email invitation with a link to the online survey will be sent to you on the 1st July.

Homes for Ukraine

Further information is now available on how landlords and tenants in the Scottish private rented sector can offer homes to those escaping conflict in Ukraine.

Anyone interested in registering for the scheme can submit their details [HERE](#) [↗](#)

They will then be kept updated and provided with guidance on the checks which will be undertaken on both hosts and people seeking to come to the UK, information around the status of the arrangement hosts will be entering into (including expected accommodation standards) and the role of the local council in providing wider support.

Anyone in the UK with a spare room, or separate self-contained accommodation that is unoccupied can come forward to help. Accommodation must be available for at least 6 months, be fit for people to live in, and suitable for the number of people to be accommodated (taking account of HMO and overcrowding legislation).

Hosts should not charge any rent. The government is offering an optional 'thank you' payment of £350 per month to people who can accommodate one or more households. The 'thank you' payment is limited to one payment per residential address. This payment will be tax free and should not affect the host's entitlement to benefits or council tax status. Any council tax discounts the host household currently benefits from will not be affected if they host a Ukrainian household in their home.

Payments will continue for as long as accommodation is provided and for up to 12 months. The payment will be made in arrears. Prior to payment, eligibility checks will be carried out which will include a visit to the property. The property must be safe, heated and free from health hazards, and give the guests adequate access to bathroom and kitchen facilities.

Landlords considering offering their property through the scheme should check that their mortgage and insurance providers are agreeable to the proposed arrangement. Tenants considering hosting a Ukrainian household through the scheme should seek consent from their landlord.

Both hosts and refugees taking part in Homes for Ukraine will be vetted. Working in Defence carries certain security risks and security-cleared individuals will need to consider how to manage those risks by following the policies and procedures. If you are considering registering to host Ukrainian refugees, you will need to first read and agree to the full guidance.

If for any reason you need to end the sponsorship arrangement early, you should inform your local council as soon as possible. Your local council will then step in to help guests to find alternative accommodation.



Short-term Lets Licensing

East Lothian Council is currently setting up their Licensing regime for the above which will open in October 2022.

The Scottish Government has put in place this licensing scheme to ensure basic safety standards are in place across all short-term lets operating in Scotland, while also providing discretionary powers to licensing authorities to address the needs and concerns of local communities.

The aims of the licensing scheme are:

- To ensure all short-term lets are safe;
- To facilitate licensing authorities in knowing and understanding what is happening in their area; and
- To assist with handling complaints and address issues faced by neighbours effectively

There will be four types of licence:

- Home sharing;
- Home letting;
- Home sharing and Home letting; and
- Secondary Letting

You will need a separate licence for each of your premises, whether or not they are in the same licensing authority area. You will not need separate licence for short-term lets on the same premises, e.g. if you are letting out two rooms in your home, that would be covered by one licence.

Once the licensing regime is open:

- **New hosts and operators** will need to have a licence. This means that, if you were not using your premises to provide short-term lets before October 2022, you can advertise but not take bookings or receive guests until you have obtained a licence.
- **Existing hosts and operators** (those using accommodation to provide short-term lets prior to October 2022) have until 1 April 2023 to apply for a licence.

During this period you can operate without a licence (by continuing to take bookings and receiving guests) unless your licence has been determined, and your application was rejected. You will need to prove that you used the property for short-term lets, through evidence of bookings and payments, as part of your initial application. After 1 April 2023, existing hosts can only continue to operate if they have:

- Submitted an application for a licence on or before 1 April 2023 that has not yet been determined; or
- Been granted a short-term licence

Guidance has been produced by the Scottish Government and the latest version of this is available [HERE](#)

Rent Service Scotland collects rental information from a wide variety of sources contributing to a data set which is used to produce statistics for the Office for National Statistics (ONS).

The information is also used to set levels of Local Housing Allowance, Universal Credit, valuations for Housing Benefit, registered rents, rent adjudications and Rent Pressure Zones.

[Rent Service Scotland](#)



If you can share rental information please download the [Market evidence form](#) and return to us. The information will be held securely in the Rent Service Scotland database and held in line with the current retention policies.

Rent Service Scotland, 2nd Floor Endeavour House, 1 Greenmarket, Dundee DD1 4QB
Email: rss.dundee@gov.scot | Tel: 0300 244 7000 (Answer machine only)

The Energy Efficiency (Private Rented Property) (Scotland) regulations 2020

Contrary to an article published in the last issue of Key Notes, East Lothian Council has been made aware of the above regulations coming into effect.



Under the regulations:

From 1 October 2020 a private rented property was required to have an EPC rating of at least E when a new tenancy started, and by 31 March 2022, all private rented properties needed to meet this standard;

From 1 April 2022, a private rented property needs to have an EPC rating of at least D when a new tenancy started, and by 31 March 2025, all private rented properties will need to meet this standard.



Tenancy management – Session 2

Core Standard training – Level 1

28 June 2022, 2pm – 3pm

Session 2: Best Practice in Tenancy Management

This course deals with best practice in three tenancy management topics providing essential information and signposting to further assist landlords and letting agents.

The course is suitable for landlords and letting agents regardless of the number of properties managed and length of time in the industry.

Course topics:

- GDPR: personal data and the landlord's responsibilities
- Equality issues
- Dealing with antisocial behaviour

Managing Common Repairs

Core Standard training, Level 2

5 October 2021 and 10 November 2021, 2 – 3pm

A landlord who lets flatted property, whilst solely responsible for the repairs and maintenance of that property, also takes on joint responsibility for the repairs and maintenance of the common parts of the building.

This session has been designed to provide landlords with a guide to the regulations involved in joint repairing responsibilities.

Topics include:

- Rights and obligations of tenement flat owners
- Managing common repairs
- Working with property facts
- Managing payment for common repairs

Property condition and property management – Session 2

Core Standard training, Level 1

14 October 2021, 2 – 3pm

This is the second of two webinars which deal with managing our repairing and safety obligations as landlords at the present time.

Gail Bowden will provide an overview of the current legislation including the government COVID-19 guidance and what landlords need to be aware of in terms of health and safety in their rental properties, including statutory certification.

Topics covered in this session:

- The Repairing Standard
- Safety requirements and certification
- The role of the Housing and Property Chamber – First-tier tribunal for Scotland
- Managing repairs, maintenance and safety compliance

Do you use a Letting / Management Agent?

Letting / Management agents were required to register with the Letting Agent Register from 2017 and they have their own referencing style. Please ensure you update your agent's reference (especially when you are Renewing your application) on your own registration – the reference will begin with **LARN**....

You can find their reference number at

www.lettingagentregistration.gov.scot ↗

or ask your agent.

Preparation for possession actions

Core Standard training, Level 2

27 June 2022, 10am – 11am

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 comply with legislation, including updates on how Scottish Government COVID-19 guidance and regulation effect this topic.

Topics covered in this webinar:

- 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 process

All courses run by LAS can be found listed on their website and can be booked online at

landlordaccreditationscotland.com ↗

Mediating skills for landlords webinar

Best Practice training

13 October 2021, 1.30pm – 4.30pm

The aim of this online workshop is to support landlords in dealing with conflict with tenants and is delivered by Scottish Mediation. After looking at conflict and how it escalates, this workshop moves on to demonstrate how skills and techniques used in mediation can help landlords to effectively manage relationships with their tenants.

The session considers how best to manage and resolve conflict with a view to avoiding costly and time-consuming disputes, tenancies ending prematurely, deposit disputes and cases being referred to the Housing and Property Chamber of the First-tier Tribunal.

Who should attend this webinar?

- This webinar is suitable for landlords
- At the end of the workshop you will be able to:
- Understand some of the causes of conflict and how it escalates
- Use a number of tools used in mediation to resolve conflict
- Understand the benefits of mediation and how to access it

Contact Information

Landlord registration / Housing in Multiple Occupation licensing

Sheila Fitzpatrick T 01620 820623
landlordregistration@eastlothian.gov.uk
hmo@eastlothian.gov.uk

Housing Benefit and Council Tax

01620 827730/7729 (Benefits)
01875 824314 (Council Tax)
www.eastlothian.gov.uk/info/210559/council-tax-and-benefits

Useful websites (click text to link to website)

Private Residential Tenancy	Landlord Accreditation Scotland
Tenancy Deposit Scheme	The Repairing Standard
My Deposits Scotland	Scottish Association of Landlords
Letting Protection Service	Health & Safety Executive
Safe Deposits Scotland	Electrical Safety Council
Landlord Registration	Gas Safe
Housing and Property Chamber, First Tier Tribunal	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