

Fair Rents (Scotland) Bill

Introduction

A proposal for a Bill to protect private sector tenants by introducing measures to limit rent increases and to increase the availability of information about rent levels. The consultation runs from 15 May 2019 to 6 August 2019. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation document](#) [Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

About you

Please choose whether you are responding as an individual or on behalf of an organisation. Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I would like this response to be published anonymously

Please provide your name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Aim and approach - rent cap

Q1. Which of the following best expresses your view of capping private sector rent increases annually across Scotland at one percentage point above inflation (measured according to the Consumer Price Index (CPI))?

Partially supportive

Please explain the reasons for your response.

I'm an accidental landlord. My property is rented out because I had to move for work. I can't sell or get another buy to let mortgage. So I'm stuck in the position owing to bad financial advices received in 2007 when we bought the place. There was no contingency for the recession and now we're heavily in debt. The bank can raise interest rates and they do this regularly. I don't think it's fair to cap rents when mortgage payments may exceed that.

Rent level appeals

Q2. Which of the following best expresses your view of providing that, when tenants appeal their rent, rent officers and the First-tier Tribunal would be able to either lower or maintain the rent but not increase the rent?

Fully opposed

Please explain the reasons for your response.

Rent is agreed in a contract with the landlord. It's not fair to have a third party determine this unless the same third party will address the conditions of the mortgage too. The banks are quite crooked with accidental landlords even though the same banks sold the products which are now unaffordable.

Landlord registration scheme

Q3. Which of the following best expresses your view of expanding the landlord registration scheme so that landlords must input the rent that they charge when they register, and update the system when the rent changes?

Fully opposed

Please explain the reasons for your response.

This is private. I would be supportive of a register of all tenancies including the name and address of the tenants too.

Other options - Rent Pressure Zones

Q4. Which of the following best expresses your view of tackling the problem of rents rising significantly faster than inflation by making it easier for a local authority to apply to create a Rent Pressure Zone (RPZ)?

Partially opposed

Please explain the reasons for this response.

Build more affordable homes, introduce more housing associations. Students and AirB&B are the problem not landlords.

Financial implications

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
Government and the public sector			X			
Businesses (including landlords)	X					
Individuals (including tenants)		X				

Please explain the reasons for your response.

Landlords already have to comply and we do. Accidental landlords are not professional property owners and can barely afford mortgages already. Tenants will be forced out if landlords can not afford mortgages and thereafter bigger property owners will come in and just make the problem much worse.

Q6. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

Make tenants pay to register their leases. Also, acknowledge landlords are not a homogenous groups. We accidental landlords are actually quite poor and can not afford mortgages. Rent caps would not help us at all.

Equalities

Q7. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, maternity and pregnancy, marriage and civil partnership, race, religion or belief, sex, sexual orientation?

Negative

Please explain the reasons for your response.

I'm disabled. There are few, if any, suitable private sector homes for people with mobility, stay overs, medical equipments or adaptations. You risk removing what little accommodation is available out of the system if landlords can not pay their bills because of rent controls. Please bear this in mind.

Q8. In what ways could any negative impact of the Bill on equality be minimised or avoided?

Exclude accidental landlords. Reform mortgage law and make it compulsory to provide a buy to let mortgage rather than face legal action every two years because you're in a difficult financial position.

Sustainability

Q9. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

No

Please explain the reasons for your response.

You're passing the buck to landlords for a shortage of affordable homes. That's the job of a housing association in public sector.

General

Q10. Do you have any other comments or suggestions on the proposal?

Remember the accidental landlords (20% of all landlords). We're different to professional landlords who use rent for income. We only want to cover the bills and mortgages. Thereafter, sell when we can.