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 8 August 2019 (extended from 6 August). 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.â€‹ 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

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:
Some of my own family have experienced sub-standard rented properties at a high price; the landlord's defence was that he was charging the "market price" for the property, and if you don't like it you can leave.

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

If you have requested anonymity or asked for your response not to be published, please give a reason (Note: your reason will not be published):
I have no wish to draw attention to my family members through association.

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))?
Fully supportive
Please explain the reasons for your response. Currently, landlords charge what they can get away with, unrelated to the maintenance or quality of their property. There is a steady rise in rents as property availability falls - "Market Forces" rule.

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 supportive
Please explain the reasons for your response. I find it highly unlikely that any landlord would be charging a below market value rent and have it challenged. The possibility of the rent being increased will create a "chilling effect" and result in people being frightened of initiating the process.

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 supportive

Please explain the reasons for your response.
Registration should be closely policed to reduce tax avoidance. The inclusion of current rent rate allows the collection of data on the true market price for rental property in any particular area.

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 supportive

Please explain the reasons for this response.
The RPZ has been totally ineffective to date, perhaps changes could make it a more effective tool but maybe root and branch changes might be more appropriate.

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.
The main thrust of these ideas is to reduce profiteering by landlords and allowing tenants to be protected from unjustified rent increases. Better application of controls should not be expensive from a local authority point of view. Landlords will not suffer unless they are deemed to be profiteers. Tenants will pay a fair price with no nasty surprises.

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

Maybe there is an opportunity here to regulate the current move from long-term letting to short term holiday lets which exacerbates the property shortage and raises the average rents in the area. This is a particular problem in some city centre areas.

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?

Slightly positive

Please explain the reasons for your response.
The elderly on fixed incomes will be better protected into the future.

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

No Response

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?

Yes

Please explain the reasons for your response.
Fairer rents for tenants; a fair return on investment for landlords.

General

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

While these proposals will result in a fairer system for the private rental tenant, it does nothing to address the housing shortage that plagues our country. Local authorities and the Scottish Government must accelerate the drive to build more council housing at a truly affordable cost to tenants.