

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. 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.

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

Our group, Common Weal Dundee, is part of the Common Weal movement, which is a think and do tank

Please select the category which best describes your organisation

in Scotland. We develop policy and campaign for social and economic equality, for well being and the environment, for quality of life, for peace and justice.

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

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).

Common Weal Dundee

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.

Our group is aware that 26% of households in Dundee are living in private rented accommodation, and so we would wish that arrangements around private rental be as fair as possible. It is obvious to us that the current arrangements are certainly not fair for those who are renting. To allow unregulated rent hikes whilst inflation increases, and people in the lowest decile find themselves spending 57% of their income on housing, is clearly unjust. Capping rent increases is a good way to start reform of the system.

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

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?

Please explain the reasons for your response.

People in private rented accommodation need to feel confident that they can complain about their rent without fear of reprisals from their landlords, or the risk of rent officers increasing their rent after an enquiry. The chilling effect constrains democracy especially when the rent officer's judgment may not be based on reliable data.

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.

This proposal seems so obvious to us that we are very surprised that such a simple solution was not already in operation for data collection.

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.

Unless any reform of RPZ is very radical, then Councils would still find this scheme difficult to implement, and follow through. On the other hand, a new capping scheme could be set up very quickly, with the onus to register and comply with the regulations being firmly on the shoulders of the landlord rather than on the government.

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 Government will be required to update computer programmes and employ programmers to do this . For businesses and individuals there should be little increase in paper work.

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

The Scottish Government should never lose sight of the fact that this Bill seeks to create fairer conditions for the thousands of people for whom housing costs take up more than half their salary! At no point should it become a cost cutting exercise.

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?

Positive

Please explain the reasons for your response.

A good law by definition should help to iron out inequalities in society. Our Group is confident that this proposal carefully implemented in law will provide a firm foundation on which further reform is based.

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

We cannot see why this Bill should have any detrimental effect on equality.

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.

There is the possibility that Landlords will take exception to the Bill, but their greed should not prevent this Bill going forward. Ideally the Scottish government should be investing in more public housing (by means of a Scottish National Investment Bank) which could replace the properties of those Landlords unwilling to let because of the system of capping envisaged in this proposal.

General

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

Common Weal Dundee is delighted to see that Ms McNeill is striving to address what is a long standing problem in Dundee. We hope that this proposal is a prelude to further reforms in this area.