As part of its duty to provide housing information and advice, the Comhairle have created this bulletin to keep those involved in the private rented sector up to date with the new or forthcoming legislation. The bulletin summarises existing provisions and legal duties that are applicable to private landlords.

It is updated periodically and is best viewed electronically.

**PRIVATE LANDLORD REGISTRATION**

Anyone who lets a residential property in The Outer Hebrides must apply to **register** with the Comhairle unless they are covered by one of the **exemptions** (see below). It is the owner of the property who must register.

**EXEMPTIONS**

Exemptions apply to properties rather than to people. Exemptions include if the property is:
- the only or main residence of the landlord, where there are not more than 2 lodgers
- let under a crofting tenancy
- occupied under a life rent
- used for holiday lets only - should comply with the **furnished holiday letting rules**
- let to members of the landlord’s family only
- held by an executor for a period less than 6 months
- possessed by a heritable creditor for a period less than 6 months

Please check the information at [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk), where you can register online, for a full list of exemptions.

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**Improving Standards -The Private Landlord Registration (Information) (Scotland) Regulations 2019** came into force on 16 September 2019 and have introduced a more robust application process that will raise awareness amongst landlords about their legal duties, provide better assurance of landlord competence and compliance, and highlight to local authorities where further advice and support is needed to help landlords meet the standards of registration.

Private landlords will be required to declare whether or not they comply with specific duties related to the following:
- The Tolerable and Repairing standards
- Gas Safety Certification
- Electrical safety Electrical appliance testing
- Fire, smoke and heat detection
- Carbon monoxide detection
- Private water supply
- Energy performance
- Legionella risk assessment
- Rental property insurance
- Common repair obligations
- Tenancy deposits

If you answer NO to these questions your application/renewal will not be approved until we carry out further enquires. We will also be contacting some landlords who answer YES to to provide evidence of compliance. See page 9 for further information.
**Electrical Safety** - Landlords are required to ensure that rented houses have regular electrical safety inspections carried out (as part of the repairing standard). They must have regard to the Scottish Government Statutory Guidance on Electrical Installations and Appliances in Private Rented Property.

The electrical safety inspection has two separate elements:

1. An Electrical Installation Condition Report (EICR) on the safety of the electrical installations, fixtures and fittings. An EICR must be completed by a suitably competent person. In Scotland, this will usually mean that they are registered with NICEIC or a member firm of the Electrical Contractors’ Association of Scotland (SELECT).

2. A Portable Appliance Test (PAT) on portable appliances (movable electrical equipment) provided by the landlord. A PAT test must be completed by a competent person (as per 1. above, or a person (including the landlord) who has completed appropriate training as a PAT tester as per Annex C of the guidance. All inspected appliances should be labelled and a test record kept.

**Smoke and Heat Alarms**

The Scottish Government has produced revised statutory guidance on the requirements for smoke alarms. The guidance states they should be hard wired and there should be at least:

- One functioning smoke alarm in every room which is frequently used by the occupants for general daytime living purposes
- One functioning smoke alarm in every circulation space, such as hallways and landings
- One heat alarm in every kitchen
- All alarms should be interlinked

The number and position of the alarms will depend on the size and layout of the house. There should be at least one alarm on each floor.

Further information is available [here](#).

**Carbon Monoxide** - Landlords are required to ensure that rented houses have “satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health” (as part of the repairing standard). They must have regard to the Scottish Government Statutory Guidance for the Provision of Carbon Monoxide Alarms in Private Rented Housing.

Private landlords must ensure that a detection system is installed in all dwellings they rent where there is a fixed combustion appliance (excluding an appliance used solely for cooking) in the dwelling or in an inter-connected space, for example, an integral garage.

Further information is detailed in the statutory guidance.

**Universal Credit**

The document Universal Credit and rented housing – frequently asked questions provides information for landlords if they have tenants who are moving to Universal Credit.

Other information is also available [here](#).

**Fees**

Each landlord applying for registration should pay a principal fee of £65 and in the case of landlards, a property fee of £15 for each property registered. Joint owners do not pay. Charities receive a 100% discount on these fees (however must pay a late fee if applied). Applications to multiple local authorities may get a 50% discount on the principal fee if application is online. Some examples are given below.

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee (from 11th June 2019)</th>
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<tbody>
<tr>
<td>Landlord - 1 property</td>
<td>£80</td>
</tr>
<tr>
<td>Landlord - 2 properties</td>
<td>£95</td>
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<tr>
<td>Late Fee</td>
<td>£130</td>
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<td>Landlord—1 property with late fee</td>
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<td>Joint Landlord—1 property with late fee &amp;</td>
<td>£130</td>
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**Joint Owners**

It is common for the lead applicant to register correctly but there is usually a lot of work in chasing up joint owners to ensure they sign their form/check the compliance boxes online. If you are the joint owner of a property then it is your responsibility to ensure that you register properly as if you do not then you could be hit with a Late Application Fee if we have to contact you twice.
REPAIRING STANDARD

The Repairing Standard ensures that a property meets a minimum physical standard. This now includes that the property must meet the tolerable standard which any house used as living accommodation has to meet.

Landlords must carry out a pre-tenancy check of their property to identify work required to meet the Repairing Standard (described below) and notify tenants of any such work. Landlords also have a duty to repair and maintain their property. On becoming aware of a defect, landlords must complete the work within a reasonable time.

A privately rented property must meet the Repairing Standard as follows:

- The property must be wind and water tight and in all other respects reasonably fit for people to live in.
- The structure and exterior (including drains, gutters and external pipes) must be in a reasonable state of repair and in proper working order.
- Installations for supplying water, gas and electricity and for sanitation, space heating and heating water must be in a reasonable state of repair and in proper working order.
- Any fixtures, fittings and appliances that the landlord provides under the tenancy must be in a reasonable state of repair and in proper working order.
- Any furnishings that the landlord provides under the tenancy must be capable of being used safely for the purpose for which they are designed.
- The property must have a satisfactory way of detecting fires and for giving warning in the event of a fire or suspected fire (smoke/heat alarms).
- The property has satisfactory provision for giving warning if carbon monoxide is present in a concentration that is hazardous to health.

If, after a landlord has been notified of any problem, and the tenant is not happy how it has been dealt with, then the tenant has the right to refer the matter to the Housing and Property Chamber. The Housing and Property Chamber has the power to require a landlord to carry out work necessary to meet the Repairing Standard.

Rights of access to a property

The landlord is entitled to enter the property to inspect any repairs required or to carry out repairs. The landlord should normally arrange a suitable time with the tenant but can enter the property, at a reasonable time of day, provided they have given the tenant 24 hours’ notice in writing. (If an emergency repair is required, the landlord can claim immediate access).

Gas Safety

If a rented property has any gas appliances in it (such as a gas central heating boiler, a gas fire, or a gas cooker, LPG heater) then by law you must have it inspected by a Gas Safe registered tradesman every twelve months. There are serious penalties for not doing so.

Record

A record of the annual gas safety check must be provided to your tenant within 28 days of the check being completed or to new tenants before they move in. Landlords must keep copies of the gas safety record for two years.

Tenants are responsible for gas safety checks of their appliances.

Further information is available from the HSE website.
**Tenancy Deposits**

It is a legal requirement that all landlords and letting agents must protect deposits taken from tenants by placing them in one of the [Scottish Government approved Tenancy Deposit Schemes](https://www.mygov.scot/renting-your-property-out/). If a deposit is not placed in one of the schemes then tenants can be entitled to up to three times the value of the deposit.

**What is a tenancy deposit?**

A tenancy deposit is a sum of money which a landlord may ask a tenant to pay at the start of a tenancy. The landlord holds the money as security against the tenant not meeting their obligations in connection with a tenancy or occupancy arrangement. The tenancy agreement should set out the circumstances in which the deposit may be withheld by the landlord at the end of the tenancy. The amount that can be charged as a deposit can't be more than two months' rent. For example, if the rent is £500 a month, you can't ask for more than a £1,000 deposit.

**What is a tenancy deposit scheme?**

A tenancy deposit scheme is an independent third party scheme which has been approved by the Scottish Government to hold and protect tenant’s deposits until they need to be repaid at the end of the tenancy.

There are currently three Approved Schemes. These are:

- **Letting Protection Service Scotland**
  The Pavilions, Bridgwater Road
  Bristol, BS99 6BN
  Telephone: 0330 303 0031
  [www.lettingprotectionscotland.com](http://www.lettingprotectionscotland.com)

- **Safe Deposits Scotland**
  Lower Ground, 250 West George Street, Glasgow, G2 4QY
  Telephone: 03333 213 136
  [www.safedepositsscotland.com](http://www.safedepositsscotland.com)

- **My deposits Scotland**
  Kingmaker House, Station Road, New Barnet, Herts, EN5 1NZ
  Telephone: 0333 321 9402
  [www.mydepositsscotland.co.uk](http://www.mydepositsscotland.co.uk)

**Home Energy Scotland** - There are a variety of schemes on offer to provide support to landlords in Scotland. You can get advice from a specialist over the phone. Call Home Energy Scotland on 0808 808 2282 or visit [www.energysavingtrust.org.uk/scotland/businesses-organisations/landlords](http://www.energysavingtrust.org.uk/scotland/businesses-organisations/landlords).

Landlords can get free, impartial advice from an energy specialist on how to improve the energy efficiency of their tenanted properties. The specialist will visit the property to assess what can be done. A report will then be produced with information about the current energy efficiency of the property and recommendations on how to improve it. The specialist will take you through your options.

An assessment of which renewables systems may be suitable can also be undertaken at the same time if you are interested in technologies such as solar PV, heat pumps, and wind turbines.

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**HM REVENUES AND CUSTOM**

**Property You Personally Own**

The first £1,000 of your income from property rental is tax-free. This is your ‘property allowance’.

**Contact HMRC** if your income from property rental is between £1,000 and £2,500 a year.

You must report it on a [Self Assessment tax return](https://www.gov.uk/government/publications/self-assessment-tax-return) if it’s:

- £2,500 to £9,999 after allowable expenses
- £10,000 or more before allowable expenses

If you don’t usually send a tax return, you need to register by 5 October following the tax year you had rental income.


**Property Owned By A Company**

Count the rental income the same way as any other business income.

Further information on tax is available at: [https://www.mygov.scot/renting-your-property-out/](https://www.mygov.scot/renting-your-property-out/)

**LET PROPERTY CAMPAIGN**

The Let Property Campaign gives you an opportunity to bring your tax affairs up to date if you’re an individual landlord letting out residential property in the UK.

To help you understand the rules HMRC has several tools available:

- [Webinars](https://www.gov.uk/government/publications/self-assessment-tax-return) – recorded or live

Further information is available at: [letproperty.campaign.gov.uk](http://letproperty.campaign.gov.uk)
## Unregistered Landlords

There are a number of landlords that fail to register or renew their registration. Sometimes it can be an oversight and the Comhairle will work with these landlords to get them registered. There are however some that know they need to register but have not done so. The reasons behind the failure to register will be considered as part of a risk based approach to the fit and proper person test. We use a variety of sources to identify these landlords, including:

- Housing Benefit/Local Housing Allowance claims
- Council Tax register;
- Local Housing Allowance claims;
- tenancy deposit scheme information; and
- the electoral roll

### Late application fees

The registration process requires that a late application fee be applied in certain circumstances. The level of fee represents the amount of additional work required to get a non-compliant landlord to register.

If the Comhairle have to make two separate requests to get a landlord to register then an additional late application fee of £130 is payable on application.

For existing registrations the late fee of £130 fee will be applied on expiry, encouraging applicants to reapply before expiry. These fees also apply to Joint Registrations.

### Sanctions for Unregistered Landlords

The recent local house condition survey indicates that there are a lot more rented properties than those on the register. Whilst some of these properties may be exempt from registration there are still a number of unregistered landlords.

It is a criminal offence to operate as an unregistered landlord and a number of landlords fail to register or renew their registrations. If you are renting a property and are unsure whether you need to register or if your registration is still active please contact the Comhairle. The Comhairle will ensure all known landlords are registered and it will use all its enforcement options, in line with its enforcement policy which include:

- late application fees of £130 being applied
- Rent Penalty Notices
- Reports to the Procurator Fiscal

### Houses in Multiple Occupation (HMO)

A house in multiple occupation (HMO) is a property rented out by at least 3 (unrelated) people who share the bathroom or toilet and kitchen. It can also be known as a house share. HMOs require to be licensed rather than just registered as there are greater risks associated with these type of properties.

Licensing aims to achieve and maintain high standards of service in this part of the private rented sector by ensuring that the HMO owner or their agent is a fit and proper person, and ensure the suitability of accommodation.

### RENT PENALTY NOTICES

If a private landlord is renting out a property without having registered or has let their registration expire then the Comhairle can send a rent penalty notice to that landlord. The rent penalty notice prevents a landlord from charging rent to a tenant or a prospective tenant for a property while the rent penalty notice is in force.

Rent Penalty Notices served for non-registration are normally lifted when a landlord registers.

### REPORT TO THE PROCURATOR FISCAL

This will only be used as a final resort and where all other management action or enforcement methods have been exhausted. For example, when a landlord has failed to make a valid application to register and/or has failed to comply with another sanction.
PRIVATE RESIDENTIAL TENANCY AGREEMENTS

The Private Housing (Tenancies) (Scotland) Act 2016, introduced the Private Residential Tenancy on 1st December 2017. It is no longer possible to create an assured or short assured tenancy (existing tenancies that were taken out before 1 December 2017 will continue to operate as they do currently until they come to an end).

Guidance documents are available at:
Tenants: Private residential tenancies: information for tenants
Landlords: Private residential tenancies: information for landlords

It is the law that a landlord must give their tenant(s) a written tenancy agreement. The Scottish Government has produced a ‘Model Private Residential Tenancy Agreement’ to help do this which includes both mandatory clauses that must be included when using the model tenancy as well as discretionary terms which a landlord may or may not choose to include.

The new model tenancy is available here.

When a landlord uses the ‘Model Private Residential Tenancy Agreement’ they must also provide their tenant(s) with a copy of the ‘Easy Read Notes for the Scottish Government Model Private Residential Tenancy Agreement’ which explain all of the different parts of your tenancy agreement.

The Easy Read Notes are available here.

The Scottish Government Model Private Residential Tenancy Agreement can also be completed online at:
www.mygov.scot/tenancy-agreement-scotland

Sometimes a landlord will choose not to use the ‘Model Private Residential Tenancy Agreement’. A landlord can use a different tenancy agreement as long as it sets out all of the statutory terms. If a landlord decides to do this they must provide their tenant(s) with a copy of the ‘Private Residential Tenancy Statutory Terms Supporting Notes’ which includes information about the nine tenancy terms which must be provided in the tenancy agreement by law.

This document is available here.

By law landlords must inform the Comhairle’s Homelessness Service in writing via a Section 11 Notice when they take action to recover property. The aim is to prevent homelessness by allowing the Comhairle to contact affected households with the offer of appropriate support, including money advice. Failure to comply could be taken into account by the Comhairle when considering an application for landlord registration.
Private Landlord Bulletin

TENANT INFORMATION PACK

THIS PACK ONLY APPLIES TO TENANCIES CREATED BEFORE 1 DECEMBER 2017. From then on, new Private Residential Tenancies will not require a Tenant Information Pack.

The tenant information pack provides important information to tenants who rent their homes privately. Landlords have a legal duty to provide new tenants with this pack. A tenant information pack will not be required for existing leases.

The tenant information pack is a standardised pack which provides information regarding property condition, tenancy agreements, and the responsibilities of tenants and landlords. The landlord or letting agent must provide their details on the first page of the pack, and the tenant must be provided with the pack by the tenancy start date. The pack can be provided in hard copy or electronically. The pack must be signed by the tenant and the landlord, unless it is sent or acknowledged by email.

The pack is part of the tenancy agreement but sets out important information that is relevant to tenants and landlords. Tenants and landlords should refer to their lease for more specific information on their tenancy. Copies of the pack are available from www.gov.scot/resource/0049/00493393.pdf

ENERGY PERFORMANCE CERTIFICATES (EPCS)

Private landlords must provide all new tenants (since April 2016) with an Energy Performance Certificate. The energy certificate must be displayed in each rental property (for example next to the gas or electricity meter) and copies will have to be given to all potential tenants before they decide whether or not to move into a property.

Where a property is being offered for let or sale the energy performance indicator from that property’s Energy Performance Certificate (EPC) must be stated in any advertisement. This includes an advertisement in a newspaper or a magazine or on the internet. An example certificate is shown here.

Minimum energy efficiency standards within the Private Rented Sector will be introduced in April 2020. Private rented properties will need to achieve at least the ratings:

- E: 1st April 2020
- D: 1st April 2022

Further information is available here.

Useful Hyperlinks:

- Comhairle Nan Eilean Siar Landlord Pages: cne-siar.gov.uk/plr
- Landlord Registration Website: landlordregistrationscotland.gov.uk
- Shelter Scotland: scotland.shelter.org.uk
- Scottish Government Landlord pages: mygov.scot/housing-local-services/landlords-letting
- Private Landlord Support Officer Toolkit: rentalscotland.org/professionals/plso-toolkit
- Housing and Property Chamber: housingandpropertychamber.scot

For further information about landlord registration please contact us at:

- Consumer & Environmental Services
  Communities Department
  Comhairle Nan Eilean Siar
  Sandwick Road, Stornoway
  Isle of Lewis, HS1 2BW
  Phone: 01851 822694
  Fax: 01851 705349
  email: plr@cne-siar.gov.uk
  Web: www.cne-siar.gov.uk/plr

ADVERTISING PROPERTIES

All adverts for properties for let must include the landlord registration number or, in the case of landlords whose application is yet to be determined, the phrase ‘landlord registration pending’. This includes estate agent websites, social media posts, and noticeboard cards.

Reusable ‘To Let’ boards are exempt from this due to the costs for landlords. Where there is more than one owner of a property, only one landlord registration number needs to be included in the advertisement.

Landlords who fail to include this information may be removed from the register. If an applicant awaiting registration does not display this information then their application may be refused.

Energy Efficiency Rating

Minimum EPC Band If Tenancy All properties from

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<tr>
<th>E</th>
<th>1st April 2020</th>
<th>31st March 2022</th>
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<tbody>
<tr>
<td>D</td>
<td>1st April 2022</td>
<td>31st March 2025</td>
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</table>
Agents/Letting Agents

If you’re thinking about renting out your home, you might want to consider hiring a letting agent to help you. A letting agent can:

- find a tenant for you and manage your property (including repairs)
- deal with issues the tenant may have
- help make sure you're meeting all legal requirements

A letting agent will not:

- be legally responsible if there's an accident at the property or it's damaged – it's up to you to make sure you have buildings insurance and things like gas certificates are up to date (though they can help you with this)
- be responsible for registering a tenant's deposit, if you take one (though they can register it for you)
- register you as a landlord – you have to do this yourself through the local council where your property is located
- apply for an HMO licence if your property is rented out to 3 or more unrelated tenants

Things to consider when choosing a letting agent

If you want to use a letting agent to help you rent your property, there are a number of things you may want to check to see if their service is suitable for your needs. After you've chosen a letting agent, you may find it helpful to have a legal expert look over your contract.

You may want to ask them general questions about the business. These include:

- if they're on the Scottish Letting Agent Register - all agents in Scotland need to be on the register & follow the Letting Agent Code of Practice
- if they have professional indemnity insurance and client money protection, which provides additional protection should things go wrong
- if they have complaints and disciplinary procedures
- what their track record's like – their rent arrears, how long their properties tend to be empty, what condition they're usually in at the end of a tenancy

You may also want to ask them about their general day-to-day activities, including:

- how they deal with emergencies – how quickly maintenance staff will be at the property, how they'll inform you about it, what happens outside of working hours
- how often they arrange inspections of the property
- how they'll check your property meets fire and safety standards
- what sort of minor maintenance and repairs they'll pay for and speak to you about later
- their standard charge – how often you have to pay them, whether they expect payment when the property is empty, how often they send out statements and how the payments are broken down

Letting Agents

The Scottish Government is introducing a regulatory framework for letting agents as provided for by the Housing (Scotland) Act 2014. Registration, monitoring and compliance and enforcement will be carried out by the Scottish Government.

Letting agency work generally means you either:

- carry out work for a private landlord who wants to let their property out to a tenant
- manage a property (including collecting rent, inspecting the property and arranging for repairs and maintenance) which either is currently or is planned to be rented out to a tenant

If you do letting agency work in Scotland you are required by law to comply with a Letting Agent Code of Practice and to join a Register of Letting Agents. The Register of Letting Agents is a list run by Scottish Ministers. It makes sure every letting agent is suitable to do the job and has met minimum training requirements.

You can sign up for updates about the regulation of letting agents. This includes updates on:

- the letting agent register and other key changes affecting the private rented sector.
- There is a legal definition of letting agency work, you must consider this definition in deciding whether you need to register and comply with the Code. For a more detailed explanation, and to view the legal definition, see section 61 of the Housing (Scotland) Act 2014.

See www.mygov.scot/letting-agent-registration/ for further details.
Landlord Accreditation Scotland
are the
If you are not sure that you meet your landlord responsibilities you should seek further information. Other useful sources of information are the Mygov.scot and Renting Scotland websites, or representative organisations such as the Scottish Association Landlords, and Landlord Accreditation Scotland.

Please check you comply with the following standards before you start your registration/renewal process.

The Tolerable and Repairing standards  (Guidance in Page 3 of this Bulletin)
As a landlord, please confirm you understood and meet your obligations with regard to the Tolerable and Repairing standard for any properties you let:

- Yes  □  No  □  Not Applicable

Gas Safety Certification  (Guidance in Page 3 of this Bulletin)
Do you have a current gas safety certificates for all your rental properties that use gas?

- Yes  □  No  □  Not Applicable

Electrical safety  (Guidance in Page 2 of this Bulletin)
Do you have a current Electrical Installation Condition Report (EICR) or a current Electrical Installation Certificate (EIC) for all your rental properties that use electricity?

- Yes  □  No  □  Not Applicable

Electrical appliance testing  (Guidance in Page 2 of this Bulletin)
Where you have supplied electrical appliances have current portable appliance tests (PAT) been conducted in all of your properties?

- Yes  □  No  □  Not Applicable

Fire, smoke and heat detection  (Guidance in Page 2 of this Bulletin)
Does every property you rent out meet current statutory guidance for provision of fire, smoke and heat detection?

- Yes  □  No  □  Not Applicable

Carbon monoxide detection  (Guidance in Page 2 of this Bulletin)
Does every property you rent out meet statutory guidance for carbon monoxide alarms?

- Yes  □  No  □  Not Applicable

Private water supply (PWS)  Guidance at www.mygov.scot/private-water-rights-responsibilities)
(Are any of your properties served by a PWS (a PWS is one NOT provided by Scottish Water). If so does the private PWS in all your rental properties meet the required regulations?

- Yes  □  No  □  Not Applicable

If your property is on a PWS is should be on the Comhairle’s PWS register and should be getting sampled at least annually)

Energy performance  (Guidance in Page 7 of this Bulletin)
Do your let properties have a valid Energy Performance Certificate (EPC)?

- Yes  □  No  □  Not Applicable

Legionella risk assessment  (Guidance in Page 6 of this Bulletin)
Has a Legionella risk assessment been carried out on every rental property and have safety concerns addressed?

- Yes  □  No  □  Not Applicable

The landlord has a duty to ensure legionella risk assessment is carried out on their properties

Rental property insurance  (This should be answered “Not applicable” for houses)
If you rent out a property that is a flat or in tenement, do you have the appropriate buildings insurance?

- Yes  □  No  □  Not Applicable

If renting out a tenement or flat within Scotland you will be responsible for obtaining insurance cover for the reinstatement value your of the tenement building/ block.  This rule came in to effect in 2004 via the Tenement (Scotland) Act 2004.

Common repair obligations  (Guidance at www.underoneroof.scot)
Are you aware of your responsibilities and obligations around your let properties in relation to Common Repairs?

- Yes  □  No  □  Not Applicable

Usually only applicable in flats or properties with shared access

Tenancy deposits  (Guidance in Page 4 of this Bulletin)
If you plan to take or have taken a deposit are you aware of and have you met your tenancy deposit obligations?

- Yes  □  No  □  Not Applicable

If you take a deposit from a tenant you must lodge it with one of the 3 government-backed tenancy deposit schemes.

If you answer “No” to these questions your application/renewal will not be approved until we carry out further enquires. We will also be contacting some landlords who answer “Yes” or “Not Applicable” to provide evidence of compliance.

Further information
If you are not sure that you meet your landlord responsibilities you should seek further information. Other useful sources of information are the Mygov.scot and Renting Scotland websites, or representative organisations such as the Scottish Association Landlords, and Landlord Accreditation Scotland.
**LANDLORD CHECKLIST**

**(FOR INFORMATION ONLY)**

- **If letting residential property in the Outer Hebrides you are required to register with the Comhairle unless all the houses you let are covered by one or more of the exemptions. All joint owners must also register. You should register before advertising your property for let.**

  - **Exemptions include**
    - only/main residence of the landlord, & < 3 lodgers
    - let under a crofting tenancy
    - occupied under a life rent
    - used for holiday lets only
    - let to members of the landlord’s family only

- **If property has 3 or more unrelated occupants & it is their main residence then it is a HMO.**

  - **Inform your mortgage lender (if you have one)**

- **Register/make sure landlord registration is current**

  - **Is it a House in Multiple Occupation (HMO)?**
    - Yes
    - **Apply for a HMO Licence**

  - **Is it a House in Multiple Occupation (HMO)?**
    - No
    - **Proceed to Other Checks**

  - **Energy Performance Certificate - EPC (-10 years)**
  - **Gas Safe Gas Safety Records (Annual)**

- **Hard wired smoke & fire detectors Installed**

  - **Detectors required**
    - Does the property meet the tolerable standard & comply with the Repairing Standard

  - **Legionella checks**
    - Review Risk & where necessary take action - Testing not normally required in domestic systems

- **All Adverts must include Landlord Registration Number**

  - **Advertise Property**
    - All Adverts must include Energy Performance Rating (EPC)

  - **Set up & Sign Tenancy Agreement**
    - **Tenancy Deposit**
      - Deposit must be paid into a Tenancy Deposit Scheme within 30 days of tenancy starting, Inform tenant which scheme.

    - **End of Tenancy Agreement**
      - **Deposit Refund**

- **Approved Deposit Schemes**
  - Letting Protection Service Scotland 0330 303 0031
  - Safe Deposits Scotland 0333 321 3136
  - My deposits Scotland 0333 321 9402

- **Private Residential Tenancy**

  - **Provide Tenant with copy of certificates & Safety Checks**

  - **Provide Tenant with copy of Easy Read Notes**

- **Preferred Negligence Schemes**
  - Letting Protection Service Scotland 0330 303 0031
  - Safe Deposits Scotland 0333 321 3136
  - My deposits Scotland 0333 321 9402