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Ariane Burgess MSP
Convener
Local Government, Housing and Planning
Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Your ref: Public petitions PE1743 and PE1778

27 March 2023

Dear Convener,

Thank you for your letter of March 2023 requesting an update to the above public petitions requested by the Local Government and Communities Committee.

Petition 1743

We have considered the potential to apply a similar principle to Regulated Tenancies in the Social and Private Rented Sector under the Rent (Scotland) Act 1984 (the 1984 Act) to that being considered in relation to private residential tenancies under the Private Housing (Tenancies) (Scotland) Act 2016 (the 2016 Act), that a determination of rent in the rent adjudication process should not go above that requested by the landlord. The 1984 Act creates a registration of rents process for Regulated Tenancies which does not operate in the same way as rent adjudication in the 2016 Act. There are dwindling numbers of these tenancies. To create an effect similar to the rent adjudication amendments proposed for 2016 Act tenancies by amending the 1984 Act would, in our view, be complex and not necessary. This is similar to the position as previously advised in relation to amending the 1984 Act as proposed by the petitioners. However, Scottish Government will continue to engage with rented sector stakeholders on this issue.

Petition 1778

The short term working group which was set up last year has just concluded work on the draft Statutory Guidance. Internal consultation is now taking place on this draft, which we hope to make available to the Committee around the end of April 2023. Changes to the Statutory Guidance reflect previous legislative changes in 2019 to the Landlord Registration regime. The changes streamline the Guidance to make it more user friendly for Local Authority colleagues.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



I hope these approaches are acceptable to the Committee.

PATRICK HARVIE

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