

Renters' Rights Bill Legislative Consent Memorandum, Scottish Association of Landlords submission, 29 October 2024

Thank you for the invitation to submit evidence to the Local Government, Housing and Planning Committee on the Renters' Rights Bill Legislative Consent Memorandum, which seeks to prohibit discrimination and restrictions against people with children or people in receipt of benefits in the letting of private rented sector properties.

As it is already widely accepted that a blanket refusal to let to tenants in receipt of benefit or who have children probably amounts to indirect discrimination, these amendments should not affect the practices of the majority of landlords. If anything, they are welcome in providing more certainty on what does and does not amount to discrimination when it comes to considering tenancy applications.

The wording of the draft legislation does seem to provide sufficient leeway to ensure landlords are able to make decisions about the granting of a tenancy based on legitimate business factors. It is important for parliament to ensure that landlords are able to reject applicants or seek upfront rent/guarantors where rent affordability is a concern. When it comes to applicants with children it is important that tenancies can be refused where the number of occupants would breach overcrowding laws, where the title deeds place restrictions on occupant age or where the property is unsuitable for children (such an HMO property where there are spaces shared with people on different tenancies who are not known the applicant which might lead to safeguarding concerns).

We trust the evidence above will be beneficial to the committee's work and would be happy to provide any further information should this be required.

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