

Easy Read Notes

Understanding Your Private Residential Tenancy

SCOTLAND

This guide explains your rights and responsibilities as a tenant in Scotland in plain language.

You have a **Private Residential Tenancy (PRT)** under the Private Housing (Tenancies) (Scotland) Act 2016. This guide will help you understand what that means.

What is a Private Residential Tenancy?

A Private Residential Tenancy (PRT) is the type of tenancy used for most private rented homes in Scotland since December 2017.

Key Things to Know

- **No fixed end date** - Your tenancy continues until you or your landlord properly ends it
- **Security of tenure** - Your landlord cannot ask you to leave without a legal reason
- **Your home** - The property must be your only or main home
- **Written agreement** - You should receive a written tenancy agreement

Your Rights as a Tenant

Living in Your Home

- You have the right to live in your home without interference from your landlord
- Your landlord must give you at least 24 hours' notice before visiting (except emergencies)
- You can have visitors and live your life normally
- You can request permission to keep a pet - your landlord must respond within 28 days

Safety and Repairs

- Your home must meet the "Repairing Standard" - it must be safe and in good condition
- Your landlord must fix problems with the structure, heating, plumbing and electrics
- Smoke alarms and heat alarms must be fitted and working
- A carbon monoxide detector must be fitted if there are fuel-burning appliances
- Gas appliances must be checked every year by a Gas Safe engineer

Your Deposit

- Your landlord must protect your deposit in an approved scheme within 30 working days
- The approved schemes in Scotland are: SafeDeposits Scotland, MyDeposits Scotland, and Letting Protection Service Scotland
- If your landlord doesn't protect your deposit, you can apply to the Tribunal for compensation of up to 3 times the deposit amount

Rent

- Your landlord can only increase the rent once every 12 months
- You must get at least 3 months' notice of any rent increase
- If you think the increase is unfair, you can challenge it with a Rent Officer

Your Responsibilities as a Tenant

- **Pay your rent** on time and in full
- **Look after the property** and keep it reasonably clean
- **Report any problems** or damage to your landlord promptly
- **Don't cause damage** to the property (beyond normal wear and tear)
- **Don't disturb neighbours** or behave antisocially
- **Pay your bills** for gas, electricity, council tax (unless included in rent)
- **Get permission** before making changes to the property
- **Don't sublet** without your landlord's written permission

Ending Your Tenancy

If You Want to Leave

You can end your tenancy at any time by giving your landlord at least **28 days' written notice**. You don't need to give a reason.

If Your Landlord Wants You to Leave

Your landlord cannot simply ask you to leave. They must:

- Have a legal reason (called an "eviction ground") - there are 18 possible grounds
- Give you a "Notice to Leave" with the correct notice period (28 or 84 days)
- Apply to the First-tier Tribunal for Scotland for an eviction order
- Get an eviction order from the Tribunal before you have to leave

Important

You do not have to leave until a Tribunal has made an eviction order. If your landlord tries to force you out without a Tribunal order, this is illegal harassment.

The First-tier Tribunal for Scotland

The First-tier Tribunal for Scotland (Housing and Property Chamber) handles disputes about private rented housing. It's free to apply.

The Tribunal can help with:

- Disputes about repairs and the Repairing Standard
- Problems with deposit protection
- Eviction applications from landlords
- Disputes about rent increases
- Other tenancy disputes

Contact the Tribunal

Website: www.housingandpropertychamber.scot

Phone: **0141 302 5900**

Landlord Registration

In Scotland, all landlords must be registered with their local council. It is a criminal offence to let a property without being registered.

You can check if your landlord is registered at:

www.landlordregistrationscotland.gov.uk

Getting Help

Shelter Scotland

Free advice on housing problems

Phone: **0808 800 4444** (free from landlines and mobiles)

Website: **scotland.shelter.org.uk**

Citizens Advice Scotland

Free, independent advice

Website: **www.citizensadvice.org.scot**

Living Rent (Scotland's Tenants' Union)

Support and advice for tenants

Website: **www.livingrent.org**

Your Local Council

Can help with housing problems and landlord registration issues

Disclaimer: This document provides general information only and is not legal advice. The law can be complex and every situation is different. If you have a specific problem or dispute, please seek advice from a qualified adviser such as Shelter Scotland, Citizens Advice, or a solicitor.

This guide is based on the law as it applies in Scotland. It does not apply to tenancies in England, Wales, or Northern Ireland, which have different rules.

Information is believed to be accurate as of the date of issue but laws can change. Always check current rules with an official source.

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This document accompanies your Private Residential Tenancy Agreement under the Private Housing (Tenancies) (Scotland) Act 2016.

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