

## **ITEM No ...3.....**

**REPORT TO:** NEIGHBOURHOOD REGENERATION, HOUSING AND ESTATE  
MANAGEMENT COMMITTEE – 23 JUNE 2025

**REPORT ON:** HOUSING SCOTLAND BILL – RESPONSE TO THE CONSULTATION

**REPORT BY:** EXECUTIVE DIRECTOR OF NEIGHBOURHOOD SERVICES

**REPORT NO:** 188-2025

### **1.0 PURPOSE OF REPORT**

- 1.1 This report updates members on amendments being proposed at Stage 2 of the Housing (Scotland) Bill process and sets out the officer response which if agreed, will be submitted on behalf of Dundee City Council to the Consultation.

### **2. RECOMMENDATIONS**

- 2.1 It is recommended that members:

- Note that the Scottish Government has written to Local Government, Housing and Planning Committee with a package of amendments into the scope of the proposed rent control legislation for further debate at Stage 2 of the Housing (Scotland) Bill process; and
- Agree the draft response (Appendix 1) to be submitted to the consultation on the amendments, by the deadline of 18<sup>th</sup> July 2025.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from the agreement of this report.

### **4. BACKGROUND**

- 4.1 The Housing (Scotland) Bill was published on 26th March 2024, and sets out changes in the law in relation to housing – providing additional protections for tenants, homelessness prevention, and other housing matters.
- 4.2 The Scottish Government introduced the Bill to deliver its rented sector strategy, A New Deal for Tenants, and its long-term strategy, Housing to 2040, while also seeking to deliver on an ambition to end homelessness.
- 4.3 The Bill has **six main Parts**.

**Part 1** of the Bill makes provisions about rent for private rented tenancies.

It requires councils to undertake an assessment of rent conditions in their area and submit this to the Scottish Government along with a recommendation about whether a rent control area should be designated. The Scottish Government can designate a rent control area with the approval of the Scottish Parliament. Within a rent control area, restrictions on rent increases

will apply both within and between tenancies. Regulations within any rent control area may apply only to Private Residential Tenancies (PRTs).

**Part 2** places a duty on the First-tier Tribunal and the courts.

This includes considering delays to carrying out an eviction for tenants living in private rented housing. These measures are designed to provide greater protection for tenants. The Bill also deals with how damages for unlawful eviction are calculated.

**Part 3** introduces new rights.

For private and social housing tenants to request to keep a pet and for tenants' requests to not be unreasonably refused by the landlord.

For tenants with a Private Residential Tenancy to make changes to the property they are renting.

Tenants can make certain minor changes (e.g. putting up pictures without the landlord's consent). Tenants can also request other changes (e.g. painting walls). Landlords cannot unreasonably refuse after they have lived in the let property for 6 months or more.

**Part 4** makes changes to other matters affecting tenants.

Allowing unclaimed deposits to be paid into a Scottish Government backed scheme so that they can be used to provide support to private tenants across Scotland.

Enables a single joint tenant to end the tenancy where there is no mutual agreement between joint tenants to end the tenancy. The tenant seeking to end the tenancy would first need to give the other joint tenants appropriate notice. This is intended to ensure that no joint tenant can be indefinitely held to a rental contract against their wishes and ensure a fair process for all joint tenants where one joint tenant wishes to leave the property.

Giving Scottish Ministers the power to convert assured tenancies into Private Residential Tenancies.

**Part 5** of the Bill relates to homelessness prevention.

Changes include:

- The Bill gives relevant bodies such as health boards and the police, an “ask and act” duty. These bodies are required to ask if an individual is homeless or at risk of homelessness, and to act if they are.
- Ensuring local authorities act sooner to prevent homelessness by taking reasonable steps.
- Making social landlords put in place support for tenants if they are overdue on rent due to domestic abuse.
- Making social landlords have a policy which sets out how they will support tenants who are at risk of homelessness due to domestic abuse.
- The Bill Policy Memorandum states that the overarching policy objective is to: “shift the focus away from crisis intervention and towards prevention activity which can eliminate the need for a household to go through the trauma of homelessness in the first place, without diluting the existing rights of people who are assessed as homeless”

- The Bill makes changes to update the definition of domestic abuse as it applies within homelessness legislation. It also requires social landlords to put in place support for tenants if they are overdue on rent due to domestic abuse and requires social landlords to have a policy which sets out how they will support domestic abuse.

**Part 6** deals with other housing matters.

#### Pitch fees

The Bill makes changes to legislation setting out how pitch fees for mobile homes are updated.

This means there will be a presumption that pitch fees will increase in line with the consumer price index (CPI) rather than the retail price index (RPI). The intention is to ensure that increases remain fair, appropriate, and in line with the development of statistical measures of inflation.

#### Fuel Poverty Targets

The Bill makes changes to the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 and aims to strengthen and improve the Scottish Ministers' duties to consult and report under the 2019 Act and to remove budgetary limitations on the Scottish Fuel Poverty Advisory Panel.

#### Sharing Information

Allowing the Scottish Public Services Ombudsman to share information with the new homes ombudsman for the UK.

#### Rent Cap

In October 2024, in response to stakeholder feedback, the Scottish Government confirmed their intention to bring forward an amendment to the Bill which would set out the form which the proposed rent cap would take.

Subject to this amendment being approved by Parliament, rent increases would be limited to the lower of:

- (i) the percentage change in the Consumer Price Index (CPI) (a measure of inflation) plus 1% and;
- (ii) 6%. This fixed rent cap of CPI annual rate of inflation +1%, up to a maximum of 6%, would offer tenants clarity on their costs, should their tenancy be affected by rent controls.

Also announced was the intention to consult on certain types of property which might be appropriate to exempt from rent control and on circumstances where it might be appropriate for landlords to increase rent above the level of the rent cap.

This supports consideration of how the powers within the Bill to:

- (i) exempt certain properties from rent control, or
- (ii) allow landlords to increase rent above the level of cap by regulations could be used.

## Local Context

According to the Office of National Statistics, by how many bedrooms there are in a property, average rents as of April 2025 in Dundee and Angus were:

- One bedroom: £573
- Two bedrooms: £764
- Three bedrooms: £1,009
- Four or more bedrooms: £1,760

Private rent prices in Dundee rose to an average of £842 in April 2025, an annual increase of 5.6% from £798 in April 2024. This was higher than the rise in Scotland (5.1%) over the year. In Dundee and Angus, average rents on flats or maisonettes rose by 6.1%, while for semi-detached properties, the average increased by 4.7%.

For one bed properties, average rents rose by 6.3%, while the average for four-or-more bed properties increased by 4.0%.

The April 2025 to March 2026 LHA rates are set out below. This year (2025 to 2026) all rates have been frozen at the rate last determined on 31 January 2024. This was the 30th percentile of market rents at that time.

### Scottish LHA report for April 2025 to March 2026 and effective from 1 April 2025

| BRMA Name  | No of Bedrooms |               |               |                |                |
|--|----------------|---------------|---------------|----------------|----------------|
|  | 1 bed shared   | 1             | 2             | 3              | 4              |
| Dundee and Angus weekly LHA                      | £86.30         | £92.05        | £141.53       | £182.96        | £253.15        |
| Av monthly and weekly private rent at April 2025 |                | 573<br>132.23 | 764<br>176.30 | 1009<br>232.84 | 1760<br>406.15 |

## 5. SUMMARY OF DRAFT STAGE 2 AMENDMENTS

- 5.1 The Housing (Scotland) Bill is currently progressing through the parliamentary process. Parliament has supported the general principles of the legislation at Stage 1, and the Stage 2 consideration is underway and will be complete by 29 May 2025. Subject to the view of Parliament, the Bill will then progress to Stage 3, with the exact timetable being set by Parliament.

The Minister for Housing wrote to the Convener of the Local Government, Housing and Planning Committee concerning the draft Stage 2 amendments for the Housing (Scotland) Bill on 22 January 2025. This correspondence included a keeling schedule of proposed amendments with key changes and are both available online.

A summary of the proposed amendments is included below:

### Rent Controls

An amendment to the definition of “relevant tenancies” - a move which will bring both PBSA and university-owned halls into the scope of the proposed rent control legislation.

It is important to note that extension of the definition does not expand all aspects of the Bill to student accommodation and the Bill does not go as far as to make student accommodation equivalent in law to a Private Residential Tenancy. The changes so far apply only to rent controls.

The proposed changes to the Bill mean that each local authority will be subject to a duty requiring it to assess rent conditions relating to:

- (i) the level of rent; and
- (ii) rent increases under relevant tenancies.

These assessments will inform mandatory reports that are to be submitted to the Scottish Ministers in 5 yearly intervals and will take account of guidance by the Scottish Ministers to assess rent conditions.

The reports will be required to set out the information gathered under the assessments regardless of whether the specific local authority imposes rent controls.

In addition to the mandatory 5 yearly reports, a local authority may (either of its own accord or by request from the Scottish Ministers) publish an interim report and assessment if they consider there has been a significant change in rents or rent increases since the previous report.

Following these assessments, local authorities can require the Scottish Ministers to impose rent controls wherever it is seen as necessary to protect the social and economic interests of tenants in the area, subject to a consultation period to gather the views of persons who represent the interests of affected tenants and landlords. If implemented, the local authority will require additional resource, not yet quantified to oversee and manage these aspects.

### Rent Cap

The current proposal under the Bill is for private rent increases to be limited to **CPI plus 1%**, up to a maximum of 6% per year. There several changes associated with this including the removal of the requirement to consult on the rent cap for each rent control area.

If approved, the rent cap will apply to rent increases both during the term of a tenancy and in between tenancies and will only apply in areas where rent control is applied.

The Scottish Ministers' [proposed amendments to the Housing \(Scotland\) Bill](#) have now been submitted to the Local Government Housing and Planning Committee. In addition, [government amendment 231](#) will broaden Ministers' powers to impose timeframes on social landlords to investigate disrepair and start repairs.

## Other Amendments

- Allow for information to be collected from persons who are not the registered landlord for a property, but who are acting as a landlord under a tenancy or occupancy arrangement granted by the registered landlord (e.g. sub-landlords), as well as from the registered landlord.
- Allow Scottish Ministers to request the same information from private sector landlords, as can be requested by a local authority under the rent control measures in the Bill. Measures to ensure that the information cannot be requested from the same landlord more than once in any 12 months are included.
- Expand the list of information which local authorities can request from landlords regarding their property.
- Allow for the requirements to consult in some sections to be met by consultations carried out before these sections come into force.
- Amend the information landlords in a Rent Control Area will be required to include in advertisements.
- Modify the end date of the first reporting period for the periodic assessment of rent conditions in section 1 of the Bill from 30 November 2026 to 31 May 2027.
- Extend the time period during which a tenant can submit an application for a review of their rent increase in a non-rent-controlled area (from 21 days to 30 days).
- Reduce the succession qualifying period from 12 months to 6 months in both the Private and Social Rented Sectors
- Require a joint tenant who is using the new measures around the ending of joint tenancies to also provide a copy of the notice to end the tenancy – that must be served on the landlord – to other joint tenants.
- Ensure that tenants in non-standard tenancies such as tied accommodation are not disadvantaged under the new unlawful eviction damages, due to them paying low or no rent
- Increase penalties that the Tribunal can order in cases of wrongful termination, from a current maximum of 6 times monthly rent to a maximum of 36 times monthly rent
- Broaden Ministers' powers to impose timeframes on social landlords to investigate disrepair and start repairs (Awaab's law in England), through regulation, following engagement with the sector.
- Just like the social rented sector, the Scottish Government will consider how to implement Awaab's law for private tenants, using existing powers, after engagement with the private rented sector.

## **6. CALL FOR EVIDENCE AND PROPOSED RESPONSE**

- 6.1 The Local Government, Housing and Planning Committee will now look in more detail at the amendments the Scottish Government is proposing to make to the Bill, at Stage 2. They are also seeking written evidence to hear views about the draft amendments. The Committee's call for views is scheduled to close on 18<sup>th</sup> July 2025.

- 6.2 The questions set out in the call for evidence are detailed in Appendix 1, along with proposed responses on behalf of Dundee City Council for elected members' agreement.

## **7. POLICY IMPLICATIONS**

- 7.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services, or funding, so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment as the report concerns a response to a call for evidence and will not directly result in any changes to services immediately.

## **8. CONSULTATIONS**

- 8.1 The Council Leadership Team was consulted in the preparation of this report.

## **9. BACKGROUND PAPERS**

- 9.1 None

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26 May 2025

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## Housing (Scotland) Bill Consultation

### Respondent Information Form

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

### Questionnaire

#### Question 1

Should mid-market rent properties be exempted from the application of rent controls under the Bill?

Yes

Please explain your answer.

These types of rented properties are targeted to support affordable housing supply in Scotland. With the assumption that MMR is predominantly developed by Registered Social Landlords and Local Authorities, we would agree that they should be exempt. To develop MMR there is a requirement to meet the affordability and eligibility criteria required by Scottish Government.

#### Question 2

We have set out some possible criteria which could be incorporated into a definition of MMR for the purpose of a possible exemption. Do you agree with these criteria?

Yes

Please explain your answer.

The criteria looks to mitigate the risk of uncontrolled rent increases.

#### Question 3

If there is an exemption for mid-market rent properties, should this include specific requirements on the level of rent charged, such as a link to Local Housing Allowance rates or to a specified percentile of market rates?

Yes

Please explain your answer.

MMR properties average rent last year increased by more than 6% according to recent published statistics published by Scottish Government and the Scottish Housing Regulator. This is more than the proposed rent cap. A percentile of market rates may be a better option as the LHA covers a very wide range of properties, and this would support controls in terms of MMR specifically. It is recognised that

MMR is required to be higher than social rents but less than the PRS and this requirement would support this.

#### **Question 4**

Should MMR properties only be exempted from rent control areas for the duration of time that they meet the specified criteria?

Yes

Please explain your answer.

When they are no longer subject to rent restrictions they should no longer be exempt.

#### **Question 5**

Are there any other types of housing provision which should also be considered as part of an exemption for MMR property?

In this question we ask you to consider only housing provision let below market rents, with binding restrictions on the level of rent that can be charged, or with restrictions on the types of tenants than can be granted a tenancy.

No additional types noted.

#### **Question 6**

Should build to rent (BtR) properties be exempted from the application of rent controls under the Bill?

No

Please explain your answer.

House building is a priority and needs to be encouraged/incentivised however, affordability for households remains a challenge. Therefore, we would recommend that there are controls in place to prevent properties becoming unaffordable for people (as we are seeing with PRS just now) as this contributes to increased levels of homelessness.

#### **Question 7**

We have set out some criteria which could be incorporated into a definition of BtR for the purpose of a possible exemption. Do you agree with these criteria?

No

Please explain your answer.

Dundee City Council acknowledge the criteria and would recommend that there should be consideration around the cost of the development when determining the level of the baseline rent to be set at the outset. However the fundamental aspect is that BtR are predominantly private sector led and let via Private Rented Tenancy Agreements and therefore the cap should be consistently applied across as the criteria doesn't change this aspect unlike the MMR criteria.

### **Question 8**

Are there any other criteria that should be considered as part of a definition of BtR for the purpose of a possible exemption?

Please explain your answer.

The criteria for exemptions could align with the proposals for MMR.

### **Question 9**

Should BtR properties only be exempted from rent controls for the timeframe that they meet the specified criteria?

Yes

Please explain your answer.

This would ensure properties are being built and used for the purposes in which it was intended with no deviation. Exemptions should end when property no longer meets the criteria.

### **Question 10**

Are there any other types of new rental housing provision which should be considered as part of this category of exemption?

Please explain your answer.

No

### **Question 11**

Excluding mid-market rent and build to rent/purpose built private rented accommodation, are there other categories of housing provision that should be exempted from rent controls?

No

Please explain your answer.

The categories cover the housing provision within the sector.

### **Question 12**

What information would you consider would be acceptable to demonstrate that a property is eligible for the types of exemptions referred to in the previous sections in this chapter? (Properties let below market rent, Purpose-built rental housing, other circumstances where exemptions would be appropriate).

Please explain your answer.

The body that determines that the exemption applies could issue a statement/certificate to that effect (for example for BtR, the Housing Property Chamber HPC could be considered as the potential body

that determines). In the case of MMR, where the SG are involved through grant funding for affordable housing, it would suggest this body should be the SG rather than HPC but there should be consistency of approach to avoid a two-tier system

### **Question 13**

What steps should a landlord need to take to confirm that their property is eligible for such an exemption?

Please explain your answer.

Provide certificate (as above) to local authorities and prospective tenants and state exemption on any property adverts.

### **Question 14**

Should a landlord of an exempt property be required to communicate to tenants and prospective tenants about the exemption?

Yes

Please explain your answer.

This should be known to a prospective tenant (similar to an EPC rating being made available) so that they can make an informed choice.

### **Question 15**

What could the process be for tenants to verify that a property is exempt?  
Please answer below.

Refer back to the body that declared the exemption applied.

### **Question 16**

Should landlords be able to increase their rent by more than the level of the rent cap at the beginning of a new tenancy, where the previous tenancy was let significantly below market rates?

Yes

Please explain your answer.

This should be carried out prior to the letting of the tenancy so that the prospective tenant can consider prior to signing the tenancy and the agreement is on the proviso of the controls in place as set out at Question 17.

### **Question 17**

Should the rent be a certain amount below advertised rents for similar properties for this allowance to apply?

Yes

If no, please explain your answer.

If yes, what amount or percentage below the advertised rent for similar properties should a rent be before this should be allowed, and why?

6% as this aligns with the current thresholds on the level of rent increases.

#### **Question 18**

Should landlords be able to increase rents by more than the level of the rent cap to recover costs, where they have undertaken certain improvements which may enhance the rental value or bring additional benefit to the tenant?

Yes

Please explain your answer.

It is considered a risk that if landlords were unable to apply this increase, then improvements might not be carried out by landlords. However, there should be a clear definition as to what constitutes an improvement and when the increase can be applied.

#### **Question 19**

Should landlords who make improvements to a property which improve energy efficiency (for example by making specific improvements which improve the Energy Performance Certificate (EPC) rating of the property, or by installing an upgraded heating system) be allowed to raise the rent above the level of the rent cap?

Yes

Please explain your answer.

It is considered a risk that if landlords were unable to apply this increase, then improvements might not be carried out by landlords. However, there should be a clear definition as to what constitutes an improvement and when the increase can be applied.

#### **Question 20**

Are there any other types of improvements that should potentially qualify for this kind of increase above the level of the cap?

No

Please explain your answer.

There should be a clear definition as to what constitutes an improvement

#### **Question 21**

How do you think improvements that might qualify for this increase above the level of the cap should be distinguished from work that would be expected as part of routine property maintenance?

Please answer below.

There should be a clear definition as to what constitutes an improvement and a process to evidence that the improvement is required, has been carried out and when.

### **Question 22**

Do you think that a rent increase above the cap should be calculated by:

- a) improved rental value basis
- b) cost recovery basis
- c) other

Please answer below.

The rent increase should be calculated on a cost recovery basis of the value of the improvement, over a specified period of time, whilst demonstrating best value.

### **Question 23**

If a cost-recovery basis was used, what kind of factors should be taken into consideration when deciding how it should be applied?

Please answer below.

In line with the suggestion of there being a clear definition as to what constitutes an improvement, an average lifecycle should be linked to determine the period of which cost recovery should be calculated over. In addition, there should be a requirement for the landlord to demonstrate best value.

### **Question 24**

Are there any other cost increases for rental properties that would justify raising the rent above the level of the cap?

No

Please explain your answer.

Other cost factors should already be determined and contained within the level of rent currently charged.

### **Question 25**

Are there any other circumstances under which landlords should be allowed to raise rents above the level of the rent cap?

No

Please explain your answer.

Other cost factors and contingencies should already be determined and contained within the level of rent currently charged.

### Question 26

What should the process be if a landlord seeks to make a rent increase above the level of the rent cap for any of the reasons referred to in the previous sections in this chapter? (Landlords who charge rent significantly below advertised rates, landlords who make improvements to their property, other costs a landlord may face)

Please choose your preferred option:

- a. landlords should be required to seek approval before raising the rent above the rent cap
- b. landlords should be allowed to raise rents above the cap without a requirement to apply to an external decision maker.

Please explain your answer.

Approval prior to increasing the rent to ensure the increase is legitimate and evidenced by an independent body.

### Question 27

If landlords were required to seek approval before raising the rent above the rent cap, what kind of information should landlords have to provide to tenants after the rent increase has been approved, and when?

Please answer below.

Provide the approval notice from the body determining the decision.

### Question 28

If landlords were required to seek approval before raising the rent above the rent cap, what should be considered when designing a process for landlords to apply?

Please answer below.

A clear eligibility criterion that defines under what circumstance the landlord can apply.

A standardised application process that allows landlords to submit the current and proposed rent and justification and evidence for the increase.

Landlords should be required to notify tenants and there should be a process for tenant engagement and provide tenants with access to the evidence submitted.

Independent review and appeals process.

Time bound decisions and applications.

Enforcement process for unauthorised increases.

Guidance and information for both landlords and tenants.

### Question 29

If landlords were allowed to raise rents above the rent cap without seeking approval, should they still need to produce evidence to prove that they qualify?

Yes

Please explain your answer.

Our view is that they should seek approval however if this was not required then the landlord should still need to provide evidence. It would need to be determined how that could be reviewed and by which independent body.

### **Question 30**

If landlords were allowed to raise rents above the rent cap without seeking approval, who should they need to provide evidence/information to and when?

Please answer below.

To the tenant prior to the increased rent notice period. However, there is a concern that tenants may not feel they could challenge this and so clear guidance and supports would need to be in place.

### **Question 31**

If landlords were allowed to raise rents above the rent cap without seeking approval, what should be considered when designing a process for tenants to verify or challenge the increase?

Please answer below.

A clear eligibility criterion that defines under what circumstance the landlord can increase the rent.  
A requirement to engage with tenants to demonstrate the current and proposed rent and justification and evidence for the increase.  
Independent review and appeals process.  
Time bound decisions and applications.  
Enforcement process for unauthorised increases.  
Guidance and information for both landlords and tenants.

### **Question 32**

What additional information do you think should be included in a 2-month pre-notice (for example information on the process, signposting to advice and support available)?

Please answer below.

- Name of all joint tenants
- Property address
- Start date of Joint Tenancy
- Name of the tenant who will remain
- Effective date of change
- Rent Charge
- Date of new Tenancy Agreement which should be issued to the remaining tenant(s) and record of delivery.
- Reason for the change – for example, voluntary or relationship breakdown.
- Remaining share of the deposit.
- Signposting to advice and support.

### **Question 33**

Do you think a legal form (sometimes known as a prescribed form) should be created that a joint tenant must use for issuing the pre-notice?

Yes

Please explain your answer.

This would ensure the process is consistent and ensure all required information is submitted.

### **Question 34**

Do you think that the pre-notice should be sent by the tenant initiating the end of the tenancy in a specific way to the other joint tenants, for example recorded delivery or by sheriff officer?

If yes, what method do you think should be required?

Yes

Please explain your answer.

If agreement on ending the tenancy cannot be reached, then it is almost certain that there will be dispute over whether information was provided timeously / correctly. A set process which requires evidence would assist all parties.

As there is a cost implication to delivery by Sheriff officer and recorded delivery (that also requires the recipient to sign for it or collect it) consideration should also be given to accepting delivery electronically.

### **Question 35**

Do you think the tenant initiating the ending of the tenancy should be required to provide evidence that the pre-notice has been sent alongside the notice to landlord? For example, proof of email, postage, or information that shows it has been served by a sheriff officer.

Yes

Please explain your answer.

All parties should be as fully informed as possible and this provides transparency for the process and evidences the issuing of the pre-notice.

### **Question 36**

Do you think that the copy of the 28-day notice to the landlord should be sent by the tenant initiating the ending of the tenancy in a specific way to the other joint tenants, for example recorded delivery or by sheriff officer?

If yes, what method(s) should be required?

Yes

Please explain your answer.

All parties should be as fully informed as possible and this provides transparency for the process and evidences the issuing of the pre-notice.

### **Question 37**

Do you think the tenant ending the tenancy should be required to give evidence to the landlord that a copy of the 28-day notice has been sent to all other joint tenants? For example, proof of email, postage or by served by sheriff officer.

If yes, what method(s) should be required?

Yes

Please explain your answer.

All parties should be as fully informed as possible and this provides transparency for the process and evidences the issuing of the pre-notice.

Please refer to response at Question 34.

### **Question 38**

We will be developing guidance to accompany these measures that would support both landlords and tenants understand and make use of the new process.

We want to provide information and support in certain circumstances such as domestic abuse where further guidance would be helpful, for example where a non-contact order is in place.

What particular information or advice should the guidance cover?

Please answer below.

- Legal Protection and Rights
- Step-by-step explanation of:
  - How a joint tenancy can be ended or transferred.
  - What happens if one party refuses to cooperate.
  - The role of the court in enforcing tenancy changes.
- Role of the Landlord
- Signposting to Support and Advice Services
- Templates and Tools i.e. Sample letters for requesting a tenancy transfer.
- Noting that all should be trauma informed developed.