

# **Mandatory Tenants Information Pack**

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# Background

- Review of the Private Rented Sector 2009
- Suggested a ‘knowledge gap’ in the PRS
  - one in five tenants said that they did not understand their rights
  - one in ten tenants had heard of the Repairing Standard and the PRHP
  - also highlighted that some landlords were uncertain about housing management law

# PRH Bill consultation

- March 2010 public consultation on a proposed Housing Bill
  - consultation analysis showed strong support for the introduction of an information pack
- PRS Strategy Group also in favour
- Scottish Parliament: passage of the Private Rented Housing (Scotland) Bill

# Private Rented Housing Act 2011

- Aims to support responsible landlords and address more effectively the problems caused by landlords who act unlawfully, by strengthening the regulation of the private rented sector
- Tenants Information Pack one of many provisions contained within the Act
- In consultation with the Implementation Working Group

# PRH Act Section 33

- Places a statutory duty on a landlord to provide specified documents and information (a tenant information pack) to a tenant at the beginning of an assured tenancy
- Failure to do so (without reasonable excuse) is an offence attracting a fine not exceeding level 2

# Aim of TIP

- Improved tenant/consumer knowledge
- Support and enable tenants (and prospective tenants) to develop a better understanding of their rights and responsibilities
- Act gives Ministers the power to specify the documents that must be provided through secondary legislation:
  - the tenancy
  - the house
  - the landlord
  - the rights and responsibilities of tenants and landlords

# PRS Consultative Strategy

- Strategic Aim 3: More informed choices
  - to support and encourage consumer driven improvement of the sector
- But more can be done – look to the sector as well:
  - What more can be done to support and empower consumers in the private rented sector?

# How will it work?

- PDF on SG website
- has been designed in a very simple, easy to print off format with no graphics to minimise the burden on landlords
- given to the tenant at the start of the tenancy in either hard copy or online
- Proof of receipt required (online or on paper)



# What will it contain?

- Tenancy Agreement
- AT5 Form (for short assured tenancies only)
- Gas Safety Certificate (if applicable)
- Energy Performance Certificate
- Repairing Standard information
- 'Tenant Information Pack'

# Contents of the pack?

- **Section 1: Types of Tenancies**
  - 1.1 Short Assured Tenancy
  - 1.2 Assured Tenancy
  - 1.3 Tenancy Agreements
  - 1.4 Ending the Tenancy
  
- **Section 2: Information about the Property**
  - 2.1 Gas safety
  - 2.2 Electrical safety
  - 2.3 Energy Performance Certificate
  - 2.4 Council tax information
  - 2.5 Permitted level of occupancy
  - 2.6 Repairing Standard
  - 2.7 Inventories

# Contents of the pack?

- **Section 3: Landlord details**
  - 3.1 Landlord registration
  - 3.2 HMO licensing
- **Section 4: Rights and responsibilities of tenants and landlords**
  - 4.1 Tenants main responsibilities
  - 4.2 Landlords main responsibilities
  - 4.3 Harassment and unlawful eviction
  - 4.4 Tenancy deposit schemes
  - 4.5 Tenant's obligations under antisocial behaviour legislation
- **Section 5: Key contacts for help and advice**

# Consultation

- Consultation period 21 February – 21 May
- **Link:** <http://www.scotland.gov.uk/Publications/2012/02/4519/0>
- **Key questions:**
  - What information should be contained in the pack?
  - What the pack should look like and how it will work in practice?

# Conclusion

Any questions?

