



NATIONAL LANDLORD REGISTRATION SCHEME

RENEWAL APPLICATION FOR
PRIVATE LANDLORD REGISTRATION
UNDER THE ANTISOCIAL BEHAVIOUR ETC
(SCOTLAND) ACT 2004



«Landlord_ID»

Application for landlord registration with Scottish Borders Council under the Antisocial Behaviour etc (Scotland) Act 2004

Housing Strategy Team
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA

Email: privatelandlordregistration@scotborders.gov.uk

Tel: 01896 661392

You can also apply online at www.landlordregistrationscotland.gov.uk

		page
Section 1LO	Details of Individual applicant	3
Section 2LO	Address and postcode of each rental property	8
Section 3LO	Declaration and signature of Individual applicant	10
Section 1JO/A	Details of Agent or Joint Owner	16
Section 3JO/A	Declaration and signature of Agent or Joint Owner	18
Notes		20

You must register with each local authority in whose area you let property. If you own properties in more than one area, you can use the online application system to register in all authorities in one application, and this will reduce the total fee that you will have to pay.

The aim of landlord registration is to ensure that all private landlords and agents in Scotland are 'fit and proper' to be letting residential property (Q1). The owner of every let property must register, and must declare anyone who acts for them in relation to their letting. There are only a few exceptions from the requirement to register (Q2). You can also register if you do not own any property, to show that you are 'fit and proper' to act as an agent, or before you invest in property for let.

Members of the public will be able to view each local authority's register of landlords online at www.landlordregistrationscotland.gov.uk. By entering the name and address of a person or company, they will be able to see whether you are registered. By entering the address of one of your properties they will be able to see your name and the contact address for you or your agent. This information can also be obtained by contacting the local authority. Local authorities can also provide the home or office address of any registered person or company, at the authority's discretion.

Further information on the legislation and your obligations as a private landlord can be found at http://www.scotborders.gov.uk/life/housingservices/private_landlords_tenants/index.html.

ID No:

«Landlord_ID»

Office use only

Date received:	
Payment ref:	
Enforcement date:	

Section 1LO		Details of Individual applicant	
Title: (eg Mr, Mrs, Miss, Dr)			
First name:			
Surname:			
Any other names by which you are, or have been, known (eg Maiden name)			
Date of birth:			
Home phone number:		Mobile number required:	
Email address:			
If an organisation			
Organisation name:			
Company registration number (if applicable)			
Organisations contact person			
Name:			
Position in organisation:			
Is this organisation a registered charity? If so, please enter the charity registration number.		Yes <input type="checkbox"/>	No <input type="checkbox"/>
All applicants			
Address of principal or main residence, including postcode:			
How long have you been at this address? Month/Year			
If current address is less than 5 years please give previous addresses, including postcode			
How long were you at this address? Month/Year		How long were you at this address? Month/Year	

«Landlord_ID»

1. Do you have any spent or unspent convictions, or have you ever had any court or tribunal judgements against you under housing law, landlord and tenant law or discrimination legislation? (Q3)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details			
Conviction or description of case	Date	Court or tribunal which heard the case	
2. Have you any previous or current Repairing standard enforcement orders issued by the Private Rented Housing Panel? (Q4)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Have you, or a tenant residing at any associated properties, ever been served with an Antisocial Behaviour Order or an interim Antisocial Behaviour Order? (Q5)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details			
Date	Court	Local Authority	Landlord/Tenant
4. Do you have any properties that have ever been subject to an Antisocial Behaviour Notice? (Q6)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details			
Date	Local Authority		

«Landlord_ID»

5. Do you hold any registrations or licences (Q7) in connection with letting houses within Scotland? eg House in Multiple Occupation (HMO)			Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. Have you had any such registrations or licences refused or revoked?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details				
Description	Awarded by	Held/refused/revoked	Date awarded/refused/revoked	Reference no.
7. Do you hold any voluntary accreditations (Q7) in connection with letting houses within Scotland? eg Landlord Accreditation Scotland			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Description	Awarded by	Date	Local authority approving the scheme	Reference no.

«Landlord_ID»

Prescribed Information – Landlord obligations

The following questions will ask you to confirm that you understand, and currently meet where applicable, the obligations involved in letting residential property in Scotland. This information is required for any application received after 16 September 2019.

These obligations are not new, they already exist, but the Prescribed Information change introduced in September 2019 asks landlords to confirm their compliance on each individual element.

Question 8 – The Tolerable and Repairing standards

As a landlord, please confirm you understand and meet your obligations with regard to the Tolerable and Repairing standard for any properties you let:

Yes ☐ No ☐

Question 9 – Gas Safe certification

Do you have a current gas safety certificates for all your rental properties that use gas?

Yes ☐ No ☐ Not Applicable ☐

Question 10 – Electrical safety

Do you have a current Electrical Installation Condition Report (EICR) or a current Electrical Installation Certificate (EIC) for all your rental properties that use electricity?

Yes ☐ No ☐ Not Applicable ☐

Question 11 – Electrical appliance testing

Where you have supplied electrical appliances have current portable appliance tests (PAT) been conducted in all of your properties?

Yes ☐ No ☐ Not Applicable ☐

Question 12 - Fire, smoke and heat detection

Does every property you rent out meet current statutory guidance for provision of fire, smoke and heat detection?

Yes ☐ No ☐ Not Applicable ☐

Question 13 – Carbon monoxide detection

Does every property you rent out meet statutory guidance for carbon monoxide alarms?

Yes ☐ No ☐ Not Applicable ☐

«Landlord_ID»

Question 14 – Private water supply

Yes ☐ No ☐ Not Applicable ☐

Question 14a – Private Water Supply (continued)

Does the private water supply (i.e. not provided by Scottish Water) in all your rental properties meet the required regulations?

Yes ☐ No ☐ Not Applicable ☐

Question 15 – Energy performance

Do your let properties have a valid Energy Performance Certificate (EPC)?

Yes ☐ No ☐ Not Applicable ☐

Question 16 – Legionella risk assessment

Has a Legionella risk assessment been carried out on every rental property and have safety concerns addressed?

Yes ☐ No ☐ Not Applicable ☐

Question 17 – Rental property insurance

If you rent out a property that is a flat or in tenement, do you have the appropriate buildings insurance?

Yes ☐ No ☐ Not Applicable ☐

Question 18 – Common repair obligations

Are you aware of your responsibilities and obligations around your let properties in relation to Common Repairs?

Yes ☐ No ☐ Not Applicable ☐

Question 19 – Tenancy deposits

ID No:

«Landlord_ID»

If you plan to take or have taken a deposit are you aware of and have you met your tenancy deposit obligations?

Yes ☐ No ☐ Not Applicable ☐

You must register every house you own which is subject to a lease or occupancy agreement.

Section 2LO		Details of each rental property			
Address of properties, including postcode	Is this property jointly owned? (Q20)	Is this property managed by an agent? (Q21)	Is this an accredited property? (Q7)	Is this property an HMO? (Q7)	Date HMO licence issued
1.	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
2.	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
3.	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
4.	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
5.	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Please use a separate sheet if necessary					
<i>An agent is anyone who acts for you in relation to a house you let. This may be a professional such as a letting agent or solicitor, or a friend or relative who looks after the property, arranges repairs, collects rents and so on. You must declare any agent you use. Your application cannot be approved until any agents you use have applied and been considered to be 'fit and proper'.</i>					
8. Does an agent act for you in relation to any of the above properties?		Yes <input type="checkbox"/>		No <input type="checkbox"/>	
If you have ticked yes, has this person already registered or applied for registration with Scottish Borders Council?		Yes <input type="checkbox"/>		No <input type="checkbox"/>	
If yes, please enter their name and/or registration number.					

ID No:

«Landlord ID»

If not yet registered – please enter their name and address here and ask them to complete Section 1JO/A and 3JO/A. You will need to pay a fee for your agent.	
Name:	
Address and postcode:	

<i>All joint owners of any let house must be registered; your application cannot be approved until you and any joint owners have applied and been considered to be 'fit and proper'.</i>		
9. Do you jointly own any of these properties with anyone else?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have ticked yes, has this person already registered or applied for registration with Scottish Borders Council?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please enter their name and/or registration number.		
If no, please enter their name and address here and ask them to complete Section 1JO/A and 3JO/A. There is no fee for joint owners.		
Name:		
Address and postcode:		

10. What address do you want to use as your contact address?	Your address	
	Your agents address	
	Another address Please state (including postcode)	

Section 3LO**Declaration and signature of Individual applicant**

Information on the law and good practice in letting is available from Scottish Borders Council, online at www.betterrentingscotland.com, and other sources. If in doubt about legal requirements you should consult a solicitor or professional letting agent.

Anyone who gives false information on this form, or fails to give information required by this form, is committing an offence which could lead to prosecution.

I declare that I comply with all legal requirements relating to the letting of houses.

I declare that the information provided on this application is correct to the best of my knowledge.

I agree that Scottish Borders Council may use other information it holds about me to determine whether I am a fit and proper person to act as a landlord, or to act for a landlord, in terms of the Antisocial Behaviour etc (Scotland) Act 2004.

I agree that Scottish Borders Council may share the information provided in this form with other local authorities in Scotland to which I apply, to help those authorities determine whether I am a fit and proper person to act as a landlord, or to act for a landlord. Information is shared in terms of the Antisocial Behaviour etc. (Scotland) Act 2004.

A local authority may use information it holds about you to determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. In addition, local authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with the Police Service of Scotland and, if appropriate, other relevant authorities. Information is shared in terms of the Antisocial Behaviour etc. (Scotland) Act 2004 in terms of section 139, and/or the Data Protection Act 1998.

Under the Data Protection Act 1998 information is shared for the purposes of preventing and detecting crime.

Signature.....

Print name.....

Date

The Council will notify you of the outcome of your application. Registration lasts for 3 years from the date an application is approved. You must inform the Council of any changes to the details entered on this form at any time while your application is being processed and during the period of registration.

Please note that it is a legal requirement to keep your registration details up to date. You can do this by emailing – privatelandlordregistration@scotborders.gov.uk or by calling 01896 661392

Payment

Please see Q21 to calculate how much you have to pay for this application.

Cheques should be made payable to Scottish Borders Council.

Late fee of £149.00 is applicable if a valid application is not made following two notifications.

I have enclosed a cheque for £ with my application.

This form should be returned to:

**Housing Strategy Team
Scottish Borders Council
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA**

«Landlord_ID»

Application for landlord registration with Scottish Borders Council under the Antisocial Behaviour etc (Scotland) Act 2004

Joint Owners and Agents

Housing Strategy Team
Scottish Borders Council
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA

Email: privatelandlordregistration@scotborders.gov.uk

Tel: 01896 661392

You can also apply online at www.landlordregistrationscotland.gov.uk

page

Section 1JO/A	Details of Agent or Joint Owner	13
Section 3JO/A	Declaration and signature of Agent or Joint Owner	18

These 2 sections should be photocopied if required for more than one Joint owner and/or agent. Alternatively additional pages can be requested from Housing Strategy Team.

The aim of landlord registration is to ensure that all private landlords and agents in Scotland are 'fit and proper' to be letting residential property (Note 1). The owner of every let property must register and declare anyone who acts for them in relation to their letting. There are only a few exceptions from the requirement to register (Note 2). You can also register if you do not own any property, to show that you are 'fit and proper' to act as an agent, or before you invest in property for let.

Members of the public will be able to view each local authority's register of landlords online at www.landlordregistrationscotland.gov.uk. By entering the name and address of a person or company, they will be able to see whether you are registered. By entering the address of one of your properties they will be able to see your name and the contact address for you or your agent. This information can also be obtained by contacting the local authority. Local authorities can also provide the home or office address of any registered person or company, at the authority's discretion.

Further information on the legislation and your obligations as a private landlord can be found at http://www.scotborders.gov.uk/life/housingservices/private_landlords_tenants/index.html.

ID No:

«Landlord ID»

Section 1JO/A		Details if Joint Owner or Agent	
Title: (eg Mr, Mrs, Miss, Dr)			
First name:			
Surname:			
Any other names by which you are, or have been, known (eg Maiden name)			
Date of birth:			
Home phone number:		Mobile Number required:	
Email address:			
If an organisation			
Organisation name:			
Company registration number (if applicable)			
Organisations contact person			
Name:			
Position in organisation:			
Is this organisation a registered charity? If so, please enter the charity registration number.		Yes <input type="checkbox"/>	No <input type="checkbox"/>
All applicants			
Address of principal or main residence, including postcode:			
How long have you been at this address? Month/Year			
If current address is less than 5 years please give previous addresses, including postcode			
How long were you at this address? Month/Year		How long were you at this address? Month/Year	

«Landlord ID»

1. Do you have any spent or unspent convictions, or have you ever had any court or tribunal judgements against you under housing law, landlord and tenant law or discrimination legislation? (Q3)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details			
Conviction or description of case	Date	Court or tribunal which heard the case	
2. Have you any previous or current Repairing standard enforcement orders issued by the Private Rented Housing Panel? (Q4)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Have you, or a tenant residing at any associated properties ever been served with an Antisocial Behaviour Order or an interim Antisocial Behaviour Order? (Q5)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details			
Date	Court	Local Authority	Landlord/Tenant
4. Do you have any properties that have ever been subject to an Antisocial Behaviour Notice? (Q6)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details			
Date	Local Authority		

«Landlord ID»

5. Do you hold any registrations or licences (Q7) in connection with letting houses within Scotland? eg House in Multiple Occupation (HMO)			Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. Have you had any such registrations or licences refused or revoked?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please give details				
Description	Awarded by	Held/refused/revoked	Date awarded/refused/revoked	Reference no.
7. Do you hold any voluntary accreditations (Q7) in connection with letting houses within Scotland? eg Landlord Accreditation Scotland			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Description	Awarded by	Date	Local authority approving the scheme	Reference no.

«Landlord_ID»

Prescribed Information – Landlord obligations

The following questions will ask you to confirm that you understand, and currently meet where applicable, the obligations involved in letting residential property in Scotland. This information is required for any application received after 16 September 2019.

These obligations are not new, they already exist, but the Prescribed Information change introduced in September 2019 asks landlords to confirm their compliance on each individual element.

Question 8 – the Tolerable and Repairing standards

As a landlord, please confirm you understand and meet your obligations with regard to the Tolerable and Repairing standard for any properties you let:

Yes ☐ No ☐

Question 9 – Gas Safe certification

Do you have a current gas safety certificates for all your rental properties that use gas?

Yes ☐ No ☐ Not Applicable ☐

Question 10 – Electrical safety

Do you have a current Electrical Installation Condition Report (EICR) or a current Electrical Installation Certificate (EIC) for all your rental properties that use electricity?

Yes ☐ No ☐ Not Applicable ☐

Question 11 – Electrical appliance testing

Where you have supplied electrical appliances have current portable appliance tests (PAT) been conducted in all of your properties?

Yes ☐ No ☐ Not Applicable ☐

Question 12 - Fire, smoke and heat detection

Does every property you rent out meet current statutory guidance for provision of fire, smoke and heat detection?

Yes ☐ No ☐ Not Applicable ☐

Question 13 – Carbon monoxide detection

Does every property you rent out meet statutory guidance for carbon monoxide alarms?

Yes ☐ No ☐ Not Applicable ☐

«Landlord_ID»

Question 14 – Private water supply

Yes ☐ No ☐ Not Applicable ☐

Question 14a – Private Water Supply (continued)

Does the private water supply (i.e. not provided by Scottish Water) in all your rental properties meet the required regulations?

Yes ☐ No ☐ Not Applicable ☐

Question 15 – Energy performance

Do your let properties have a valid Energy Performance Certificate (EPC)?

Yes ☐ No ☐ Not Applicable ☐

Question 16 – Legionella risk assessment

Has a Legionella risk assessment been carried out on every rental property and have safety concerns addressed?

Yes ☐ No ☐ Not Applicable ☐

Question 17 – Rental property insurance

If you rent out a property that is a flat or in tenement, do you have the appropriate buildings insurance?

Yes ☐ No ☐ Not Applicable ☐

Question 18 – Common repair obligations

Are you aware of your responsibilities and obligations around your let properties in relation to Common Repairs?

Yes ☐ No ☐ Not Applicable ☐

Question 19 – Tenancy deposits

If you plan to take or have taken a deposit are you aware of and have you met your tenancy deposit obligations?

Yes ☐ No ☐ Not Applicable ☐

Section 3JO/A	Declaration and signature of Agent or Joint Owner
----------------------	--

Information on the law and good practice in letting is available from Scottish Borders Council, online at www.betterrentingscotland.com, and other sources. If in doubt about legal requirements you should consult a solicitor or professional letting agent.

Anyone who gives false information on this form, or fails to give information required by this form, is committing an offence which could lead to prosecution.

I declare that I comply with all legal requirements relating to the letting of houses.

I declare that the information provided on this application is correct to the best of my knowledge.

I agree that Scottish Borders Council may use other information it holds about me to determine whether I am a fit and proper person to act as a landlord, or to act for a landlord, in terms of the Antisocial Behaviour etc (Scotland) Act 2004.

I agree that Scottish Borders Council may share the information provided in this form with other local authorities in Scotland to which I apply, to help those authorities determine whether I am a fit and proper person to act as a landlord, or to act for a landlord. Information is shared in terms of the Antisocial Behaviour etc. (Scotland) Act 2004.

A local authority may use information it holds about you to determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. In addition, local authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with the Police Service of Scotland and, if appropriate, other relevant authorities. Information is shared in terms of the Antisocial Behaviour etc. (Scotland) Act 2004 in terms of section 139, and/or the Data Protection Act 1998.

Under the Data Protection Act 1998 information is shared for the purposes of preventing and detecting crime.

Signature

Print name.....

Date

The Council will notify you of the outcome of your application. Registration lasts for 3 years from the date an application is approved. You must inform the Council of any changes to the details entered on this form at any time while your application is being processed and during the period of registration.

Late fee of £149.00 is applicable if a valid application is not made following two notifications.

«Landlord_ID»

ID No:

This form should be returned to:

**Housing Strategy Team
Scottish Borders Council
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA**

Question 1

To be registered, landlords and their agents must be 'fit and proper' to let residential property. Local authorities must take account of any evidence that the person has:

- Committed any offence involving fraud, dishonesty, violence or drugs
- Practised unlawful discrimination in connection with any business, contravened any provision of the law relating to housing, or landlord and tenant law and the person's actions, or failure to act, in relation to any antisocial behaviour affecting a house they let or manage.

In addition to the information provided on the form, the local authority will also take account of any other relevant information they hold about you. They will make a balanced judgement on the basis of all the available information, there is no automatic refusal.

If you let property in more than one local authority area, the authorities will share information to ensure they have all relevant details, but each authority will make its decision independently.

Question 2

Exemptions apply to properties rather than to people. If **all** of a landlord's properties in an area are covered by one or more of the exemptions, he or she does not need to register with that local authority. If some of his or her properties are exempt, the other properties must still be registered.

A property is exempt from registration if it is:

- The only or main residence of the landlord, where there are not more than two lodgers
- Let under an agricultural or crofting tenancy
- Occupied under a life rent
- Used for holiday lets only
- Regulated by the Care commission, in certain categories
- Owned by a religious organisation and occupied by a leader or preacher of the faith
- Occupied only by members of a religious order
- Let to members of the landlord's family only
- Is part of an estate of a deceased person and is being held by an executor
- Possessed by a heritable creditor
- Owned by a local authority or Registered Social Landlord.

If you are unsure whether an exemption applies to you, please contact the local authority for advice.

Question 3

The term 'spent or unspent' convictions may refer to the following:

- Fraud/dishonesty
- Violence
- Drugs
- Discrimination – legislation including:
 - the Equal Pay Act 1970
 - the Sex Discrimination Act 1975
 - the Race Relations Act 1976
 - the Disability Discrimination Act 1995
 - the Equality Act 2010
 - the Employment Equality (Sexual Orientation) Regulations 2003
 - the Employment Equality (Religion or Belief) Regulations 2003

«Landlord_ID»

- Housing Law
- Fire arms – within the meaning of section 57 (1) of the Firearms Act 1968.
- Sexual offences – within the meaning of section 210A (10) of the Criminal Procedure (Scotland) Act 1995.

If you are unsure whether you need to declare a conviction or court or tribunal judgement made against you, please contact your local authority for further advice.

Question 4

A Repairing Standard Enforcement Order is made under s24(2) of the Housing (Scotland) Act 2006. For further information on the Private Rented Housing Panel see <http://www.prhpScotland.gov.uk/prhp/1.html>

Question 5

An Antisocial Behaviour Order (ASBO) is within the meaning of Part 2 of the Antisocial Behaviour etc (Scotland) Act 2004. For further details please see <http://www.legislation.gov.uk/asp/2004/8/part/2>

Question 6

Antisocial Behaviour Notice (ASBN) is within the meaning of Part 7 of the Antisocial Behaviour etc (Scotland) Act 2004. For further details please see <http://www.legislation.gov.uk/asp/2004/8/part/7>

Question 7

There are various types of qualification or permission to let house, which go by different names depending on the organisation which issues them, or the country where they apply. This form uses the following definitions:

Registrations or licences are required by law, and are issued by local or central government. In Scotland this applies to registration of all landlords under the Antisocial Behaviour etc (Scotland) Act 2004, and licensing of Houses in Multiple Occupation. You should also include any similar permissions you hold in other parts of the UK.

Voluntary accreditation is something landlords or agents can apply for to show that they meet high standards in letting. Accreditation schemes may be run by local authorities, landlord organisations or a combination of the two.

Question 8 - the Tolerable and Repairing Standard

The Tolerable Standard is a basic level of repair your property must meet to ensure it is fit for a person to live in. The Repairing Standard is a basic level of repair that all private rented properties must meet.

Please indicate that you have read and understood your obligations under these standards.

Your obligations

This series of questions will ask you about the various obligations and standards involved in letting residential property in Scotland.

Question 9 – Gas Safe certificate

Where a let property uses a gas supply it must be covered by a yearly Gas Safe certificate. This certificate is issued by a registered Gas Safe engineer.

Please answer yes or no to this question, answering not applicable would only be appropriate if your let property does not have a gas supply or if you do not have a let property.

«Landlord_ID»

Question 10 – Electrical Safety

All let properties must have a current Electrical Installation Condition Report (EICR) or a current Electrical Installation Certificate (EIC) at the time of let. An EIC certificate is appropriate if the electrical installation is less than 5 years old, an EICR certificate must be renewed every 5 years if it is more than 5 years since the electrical installation or when a change of tenancy occurs.

EICR and EIC certificates can be issued by a suitably qualified electrician.

Question 11 – Electrical appliance testing

In any let property where you supply electrical appliances portable appliance testing (PAT) must be carried out annually by a suitably qualified electrician.

Answering not applicable would be appropriate if you do not supply electrical appliances in your let properties or if you do not have a let property.

Please note: the 'Not Applicable' option would only be appropriate if you have no let properties.

Question 12 – Fire, smoke and heat detection

As a landlord it is your responsibility to comply with the repairing standard concerning fire, smoke and heat alarms. In order to comply there should be at least:

- one functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes (normally the living room/lounge),
- one functioning smoke alarm in every circulation space on each storey, such as hallways and landings, or in main room if no landing in upper storey
- one heat alarm in every kitchen,
- all alarms should be ceiling mounted, and
- all alarms should be interlinked

Please note: the 'Not Applicable' option would only be appropriate if you have no let properties.

Question 13 – Carbon monoxide detection

Private landlords have an obligation to ensure that a detection system is installed in all properties you rent where there is:

- a fixed combustion appliance (excluding an appliance used solely for cooking) or
- a fixed combustion appliance in an inter-connected space, for example, an integral garage
- a combustion appliance necessarily located in a bathroom (advice would be to locate it elsewhere) - the CO detector should be sited outside the room as close to the appliance as possible

Question 14 – Private water supply

As a landlord in Scotland you will likely find that most of your properties are supplied by Scottish Water. Approximately 3% of the Scottish population uses a private water supply for drinking water.

There is an additional question for let properties that are **not** supplied by Scottish Water.

Question 14a – Private water supply (continued)

This question is only appropriate if your let property has a private water supply (not supplied by Scottish Water).

The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 came into force in October 2017 and is intended to ensure the provision of clean, safe drinking water and to deliver significant health benefits to those using private water supplies.

Question 15 – Energy performance

Energy Performance Certificates (EPCs) provide information on how energy efficient your building is, and how it could be improved. Buildings are rated on a scale from A to G, with A being the most efficient. Information is also provided on measures which could be made to improve the energy efficiency and an indication of the cost for each improvement.

Landlords must have a current Energy Performance Certificate for their let properties, a copy of this must be given to new tenants at any change of tenancy and the EPC rated must be included in any advert for a rental property.

Question 16 – Legionella risk assessment

Legionnaires' disease is a potentially fatal form of pneumonia caused by the inhalation of small droplets of contaminated water containing Legionella. All water systems can provide an environment where Legionella may grow.

The landlord has a duty to ensure legionella risk assessment is carried out on their properties. This is to help guard their tenants against any risk of getting the illness from contaminated water. More information on Legionella is available from the Health and Safety Executive (HSE).

Question 17 – Rental property insurance

If renting out a tenement or flat within Scotland you will be responsible for obtaining insurance cover for the reinstatement value you're of the tenement building/ block.

This rule came in to effect in 2004 via the Tenement (Scotland) Act 2004.

Question 18 – Common repair obligations

As a landlord you are responsible for repairing common areas, for example;

- the ground (solum) on which your building stands (but not always the garden)
- the foundations
- the external walls - but individual owners are responsible for the part of these walls that lies in their flat
- the roof (including the rafters)
- other structural parts of the building such as beams, columns and load bearing walls
- the close and stairs (when they are not mutual)
- staircases in blocks of flats.

Question 19 – Tenancy deposits

If you take a deposit from a tenant you must lodge it with one of the three government-backed tenancy deposit schemes:

- Letting Protection Service Scotland
- Safe Deposits Scotland
- My Deposits Scotland

The deposit must be lodged within 30 day of being received.

Question 20

A property may be a House in Multiple Occupation (HMO) if:

- at least three people live there, and
- the people who live there belong to three or more families, and
- they share a kitchen, bathroom or toilet.

All HMOs must be licensed by the local authority. If you think your property may be an HMO and you do not have a licence, please contact the local authority for advice.

«Landlord_ID»

Question 21

Each landlord and agent applying for registration should pay a **principal fee** to each local authority in which they apply and, in the case of landlords, a **property fee** for each property listed.

Fee Structure

- Principal fee = £75 for the Lead/Sole Owner
- £17 per property.
- £67 for a person who acts as a letting agent who has not already registered or applied separately
- 100% discount for joint owners
- 100% discount for registered charities
- Scottish Borders Council HMO licence holders do not pay a principal fee but must pay £15 for each property which does not have an HMO licence
- Consecutive online applications to two or more local authority attracts a discount on the principal fee

Following two formal notices for a valid application to be submitted a late application fee of £149.00 is applied. This fee can be charged to all applicants who would receive a 100% discount.

If you are unsure how much your fee will be please contact Housing Strategy Team, Scottish Borders Council.

Payment methods

apply online - (www.landlordregistrationscotland.gov.uk) payment can be by debit or credit card.

paper based application - you **must** include a cheque for the full amount - made payable to Scottish Borders Council.

You can get this document on audio CD, in large print, and various other formats by contacting us at the address below. In addition, contact the address below for information on language translations, additional copies, or to arrange for an officer to meet with you to explain any areas of the publication that you would like clarified.

HOUSING STRATEGY TEAM

Scottish Borders Council | Headquarters | Newtown St Boswells
MELROSE | TD6 0SA

Tel: 01896 661392

Email: privatelandlordregistration@scotborders.gov.uk

