**ANNEX A** – RESPONDENT INFORMATION FORM & CONSULTATION QUESTIONS

**Consultation on proposals for regulations and policy supporting the Private Housing (Tenancies) (Scotland) Act 2016**

**RESPONDENT INFORMATION FORM**

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

Are you responding as an individual or an organisation?

Individual

Organisation

Full name or organisation’s name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

Publish response only (anonymous)

Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No**Consultation Questions**

Please provide your feedback on these proposals in the form of responses to the questions below.

Profile of respondents

If you are responding as an organisation, to assist with our analysis, please indicate what type of organisation you are:

* Tenant and/or Resident Group
* Campaign Body or Group
* Advice, Information or Ombudsman service
* Legal Body or Firm
* Union or Political Party
* Landlord
* Landlord Representative Body
* Industry Body
* Letting Agent and/or Property Management
* Local Authority
* Other

Section 1. Prescribed notices

**TENANT’S NOTIFICATION TO A LANDLORD OF A REFERRAL TO THE TRIBUNAL UNDER SECTION 14 OR 16 OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016**

**Q1.** Do you think the proposed ‘Tenant’s notification to a landlord of a referral to the Tribunal under section 14 and 16 of the 2016 Act’ is fit for purpose?

* Yes
* No - please set out why you think the notification is not fit for purpose
* Unsure

*Comments*

**Q2.** Do you think the proposed ‘Tenant’s notification to a landlord of a referral to the Tribunal under section 14 and 16 of the 2016 Act’ is easily understood?

* Yes
* No – please set out why you think the notification is not easy to understand
* Unsure

*Comments*

**Q3.** Do you think the ‘Tenant’s notification to a landlord of a referral to the Tribunal under section 14 and 16 of the 2016 Act’ should have additional content?

* Yes – please tell us what that content should be and explain why you think it is required
* No
* Unsure

*Comments*

**Q4.** Do you think anything in the ‘Tenant’s notification to a landlord of a referral to the Tribunal under section 14 and 16 of the 2016 Act’ should be removed?

* Yes – please tell us what you think should be removed and explain why you think it is unnecessary
* No
* Unsure

*Comments*

**LANDLORD’S NOTIFICATION TO A TENANT OF A RENT INCREASE UNDER SECTION 22 OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016**

Please note that the ‘Landlord’s notification to a tenant of a rent increase under section 22 of the 2016 Act’ also includes the notification from a tenant to a landlord advising him or her that a referral to a rent officer is being submitted required under section 24(3) (c) of the 2016 Act

**Q5.** Do you think the proposed ‘Landlord’s notification to a tenant of a rent increase under section 22 of the Private Housing (Tenancies) (Scotland) Act 2016’ is fit for purpose?

* Yes
* No - please set out why you think the notification is not fit for purpose
* Unsure

*Comments*

**Q6.** Do you think the proposed ‘Landlord’s notification to a tenant of a rent increase under section 22 of the Private Housing (Tenancies) (Scotland) Act 2016’ is easily understood?

* Yes
* No – please set out why you think the notification is not easy to understand
* Unsure

*Comments*

**Q7.** Do you think the ‘Landlord’s notification to a tenant of a rent increase under section 22 of the Private Housing (Tenancies) (Scotland) Act 2016’ should have additional content?

* Yes – please tell us what that content should be and explain why you think it is required
* No
* Unsure

*Comments*

**Q8.** Do you think anything in the ‘Landlord’s notification to a tenant of a rent increase under section 22 of the Private Housing (Tenancies) (Scotland) Act 2016’ should be removed?

* Yes – please tell us what you think should be removed and explain why you think it is unnecessary
* No
* Unsure

*Comments*

**TENANT’S RENT INCREASE REFERRAL TO RENT SERVICE SCOTLAND UNDER SECTION 24(1) OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016**

**Q9.** Do you think the proposed ‘Tenant’s application form to a rent officer for adjudication on a proposed rent increase’ is fit for purpose?

* Yes
* No - please set out why you think the referral is not fit for purpose
* Unsure

*Comments*

**Q10.** Do you think the proposed ‘Tenant’s application form to a rent officer for adjudication on a proposed rent increase’ is easily understood?

* Yes
* No – please set out why you think the form is not easy to understand
* Unsure

*Comments*

**Q11.** Do you think the ‘Tenant’s application form to a rent officer for adjudication on a proposed rent increase’ should have additional content?

* Yes – please tell us what that content should be and explain why you think it is required
* No
* Unsure

*Comments*

**Q12.** Do you think anything in the ‘Tenant’s application form to a rent officer for adjudication on a proposed rent increase’ should be removed?

* Yes – please tell us what you think should be removed and explain why you think it is unnecessary
* No
* Unsure

*Comments*

**LANDLORD’S APPLICATION FOR A RENT INCREASE AS A RESULT OF IMPROVEMENTS MADE TO A PROPERTY IN A RENT PRESSURE ZONE UNDER SECTION 43(1) OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) Act 2016**

**Q13.** Do you think the proposed ‘Landlord’s application form to a rent officer to apply for property improvement costs in a rent pressure zone’ is fit for purpose?

* Yes
* No - please set out why you think the form is not fit for purpose
* Unsure

*Comments*

**Q14.** Do you think the proposed ‘Landlord’s application form to a rent officer to apply for property improvement costs in a rent pressure zone’ is easily understood?

* Yes
* No – please set out why you think the form is not easy to understand
* Unsure

*Comments*

**Q15.** Do you think the ‘Landlord’s application form to a rent officer to apply for property improvement costs in a rent pressure zone’ should have additional content?

* Yes – please tell us what that content should be and explain why you think it is required
* No
* Unsure

*Comments*

**Q16.** Do you think anything in the ‘Landlord’s application form to a rent officer to apply for property improvement costs in a rent pressure zone’ should be removed?

* Yes – please tell us what you think should be removed and explain why you think it is unnecessary
* No
* Unsure

*Comments*

**SUBTENANT’S NOTICE TO LEAVE UNDER SECTION 61 OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016**

**Q17.** Do you think the proposed ‘Notice to leave from a landlord to a sub-tenant’ is fit for purpose?

* Yes
* No - please set out why you think the notice is not fit for purpose
* Unsure

*Comments*

**Q18.** Do you think the proposed ‘Notice to leave from a landlord to a sub-tenant’ is easily understood?

* Yes
* No – please set out why you think the notice is not easy to understand
* Unsure

*Comments*

**Q19.** Do you think the ‘Notice to leave from a landlord to a sub-tenant’ should have additional content?

* Yes – please tell us what that content should be and explain why you think it is required
* No
* Unsure

*Comments*

**Q20.** Do you think anything in the ‘Notice to leave from a landlord to a sub-tenant’ should be removed?

* Yes – please tell us what you think should be removed and explain why you think it is unnecessary
* No
* Unsure

*Comments*

**NOTICE TO LEAVE UNDER SECTION 62(1)(d) OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016**

**Q21.** Do you think the proposed ‘Notice to leave from a landlord to a tenant’ is fit for purpose?

* Yes
* No - please set out why you think the notice is not fit for purpose
* Unsure

*Comments*

**Q22.** Do you think the proposed ‘Notice to leave from a landlord to a tenant’ is easily understood?

* Yes
* No – please set out why you think the notice is not easy to understand
* Unsure

*Comments*

**Q23.** Do you think the ‘Notice to leave from a landlord to a tenant’ should have additional content?

* Yes – please tell us what that content should be and explain why you think it is required
* No
* Unsure

*Comments*

**Q24.** Do you think anything in the ‘Notice to leave from a landlord to a tenant’ should be removed?

* Yes – please tell us what you think should be removed and explain why you think it is unnecessary
* No
* Unsure

*Comments*

Section 2: Recommended Model Tenancy Agreement

**Q25.** Do you think the proposed ‘Recommend Model Tenancy Agreement’ is generally fit for purpose?

* Yes
* No - please set out why you think the model agreement is not fit for purpose
* Unsure

*Comments*

**Q26.** Do you think the proposed ‘Recommended Model Tenancy Agreement’ is easy to understand?

* Yes
* No – please set out why you think the model agreement is not easy to understand
* Unsure

*Comments*

**Q27.** Do you have any comments on the terms numbered from 1 to 9 in the ‘Recommended Model Tenancy Agreement’?

* Yes – please tell us your comments using the comment box below for the relevant term(s)
* No
* Unsure

Term 1 is ‘Landlord’

*Comments on term 1*

Term 2 is ‘Letting Agent/Factor/Managing Agent’

*Comments on term 2*

Term 3 is ‘Tenant’

*Comments on term 3*

Term 4 is ‘Communication’

*Comment on term 4*

Term 5 is ‘Details of the let property’

*Comments on term 5*

Terms 6 is ‘Date when tenancy starts’

*Comments on term 6*

Term 7 is ‘Occupation and use of the let property’

*Comments on term 7*

Term 8 is ‘Rent’

*Comments on term 8*

Term 9 is ‘Rent receipts’

*Comments on term 9*

**Q28.** Do you have any comments on the terms numbered from 10 to 19 in the ‘Recommended Model Tenancy Agreement’?

* Yes – please tell us your comments using the comment box below for the relevant term(s)
* No
* Unsure

Term 10 is ‘Rent increases’

*Comments on term 10*

Term 11 is ‘Deposit’

*Comments on term 11*

Term 12 is ‘Landlord’s costs and interest’

*Comments on term 12*

Term 13 is ‘Notification about other residents’

*Comment on term 13*

Term 14 is ‘Overcrowding’

*Comments on term 14*

Term 15 is ‘Subletting and assignation’

*Comments on term 15*

Term 16 is ‘Contents and condition’

*Comments on term 16*

Term 17 is ‘Local authority taxes/charges’

*Comments on term 17*

Term 18 is ‘Utilities’

*Comments on term 18*

Term 19 is ‘Insurance’

*Comments on term 19*

**29.** Do you have any comments on the terms numbered from 20 to 29 in the ‘Recommended Model Tenancy Agreement’?

* Yes – please tell us your comments using the comment box below for the relevant term(s)
* No
* Unsure

Term 20 is ‘Absences’

*Comments on term 20*

Term 21 is ‘Reasonable care’

*Comments on term 21*

Term 22 is ‘Alterations’

*Comments on term 22*

Term 23 is ‘Common parts’

*Comment on term 23*

Term 24 is ‘Private garden’

*Comments on term 24*

Term 25 is ‘Roof’

*Comments on term 25*

Term 26 is ‘Bins and recycling’

*Comments on term 26*

Term 27 is ‘Storage’

*Comments on term 27*

Term 28 is ‘Dangerous substances’

*Comments on term 28*

Term 29 is ‘Respect for others’

*Comments on term 29*

**Q30.** Do you have any comments on the terms numbered from 30 to 40 in the ‘Recommended Model Tenancy Agreement’?

* Yes – please tell us your comments using the comment box below for the relevant term(s)
* No
* Unsure

Term 30 is ‘Equality requirements’

*Comments on term 30*

Term 31 is ‘Pets’

*Comments on term 31*

Term 32 is ‘Smoking’

*Comments on term 32*

Term 33 is ‘Repairing Standard etc. and other information’

*Comment on term 33*

Term 34 is ‘Liquid petroleum gas’

*Comments on term 34*

Terms 35 is ‘Legionella’

*Comments on term 35*

Term 36 is ‘Access for repairs’

*Comments on term 36*

Term 37 is ‘Data protection’

*Comments on term 37*

Term 38 is ‘Ending the tenancy’

*Comments on term 38*

Term 39 is ‘Declarations’

*Comments on term 39*

Term 40 is ‘The Guarantor’

*Comments on term 40*

**Q31.** While users will have the ability to add their own unique tenancy terms, are there any other terms that you think it would be helpful to include as standard terms in the ‘Recommended Model Tenancy Agreement’?

* Yes – please tell us what the term should be and why you think it should be included
* No
* Unsure

*Comments*

**Q32.** Do you have any other general comments on the ‘Recommended Model Tenancy Agreement’?

* Yes - please tell us what they are
* No
* Unsure

*Comments*

Section 3: Should there be an option of serving documents electronically, subject to a tenant’s and landlord’s prior agreement?

**Q33.** Do you agree that a landlord and tenant should have the option of serving documents electronically to the electronic mail address provided by the relevant party, provided they have both previously agreed in writing to this?

* Yes
* No - please tell us why you disagree
* Unsure

*Comments*

Section 4: Statutory Terms

**Q34.** Are there any other terms that should be included in the regulations as a statutory term applicable to all private residential tenancies?

* Yes - please tell us what other terms you think should be included and explain why you think they should be statutory terms
* No
* Unsure

*Comments*