

**From:** {Redacted} SG  
**Sent:** 15 April 2020 10:52  
**To:** {Redacted}  
**Cc:** {Redacted}  
**Subject:** PRS Resilience Group - Meeting Two - Agenda

Dear all,

Please find below an agenda for the next meeting of the PRS Resilience Group, due to take place tomorrow (16 April) at 10.30am:

- Introductions
- Mortgage payment holidays for Buy to Let investors – update on current position
- Actions from the last meeting – update
- Landlord and letting agent guidance – update and current issues (gas safety)
- Landlord loan fund - update
- Emerging issues and current situation

Please also find attached an updated minute of the first meeting of the group:

*File attachment*

Regards,

{Redacted}

## DRAFT

### PRS RESILIENCE GROUP VIRTUAL MEETING: 2 APRIL 2020

#### In attendance:

- {Redacted}, CAS
- {Redacted}, CAS
- {Redacted}, Shelter Scotland
- {Redacted}, Shelter Scotland
- {Redacted}, Scottish Association of Landlords (SAL)
- {Redacted}, Glasgow City Council
- {Redacted} Dundee City Council
- {Redacted}, SG

#### Apologies:

- {Redacted}, ALACHO
- {Redacted}, Propertymark
- {Redacted}, City of Edinburgh Council
- {Redacted}, Cosla

#### Feedback on areas discussed:

##### 1. Legislative update:

- Both Shelter and CAS asked about how existing eviction orders already granted by the Tribunal will be dealt with.
- Shelter asked if guidance would be issued for the Tribunal setting out that they must take account of the impact Covid-19 has had on a tenant.

##### 2. Landlord and letting agent guidance:

- SAL highlighted that the UK Government are issuing advice to all landlords which often contradicts advice set out by the Scottish Government. This is confusing for landlords, as it does not highlight that the advice is English/Welsh specific only. SAL asked for the need to coordinate advice better to prevent mixed messaging.
- SAL also highlighted concerns regarding the potential for unregistered letting agents and landlords increasing.

##### 3. Safety certificates:

- SAL highlighted concerns from many of their members regarding compliance with safety legislation (electrical, gas etc). Many landlords and letting agents have preferred contractors who are pressuring them to undertake the work and advising that they are in breach of their duties by not doing so.
- SAL indicated that the difference in advice from the SG and HSE is causing confusion.
- SAL highlighted that some HMO landlords had contacted them worried about upcoming license renewals:

## DRAFT

- Glasgow City Council advised they have written to all license holders to extend their licenses by at least a 3 month period.
- Dundee operate a common renewal date for HMO licences. All 2019 renewals have been initially inspected. Licences are to be granted with any outstanding work attached as a condition of the licence. Licences will be issued for an initial period of 1 year and extended for the balance of the normal 3 year licence period ending 30 September 2022 once all outstanding work is carried out.

### 4. Landlord support fund

- SAL asked for careful consideration to be given to the criteria that is applied to the fund, highlighting that many landlords are not being able to access mortgage breaks due to stringent criteria being applied by lenders (i.e. tenant must be in rent arrears).
- SAL are advising their members to use mortgage breaks as a last resort due to the impact it can have on their credit rating.
- CAS advised that the SG should consider writing to the all lender Chief Execs to highlight the issue SAL raised.
- CAS highlighted the need to monitor financial assistance a landlord is receiving to ensure that this is passed on to the tenant.

## Stakeholder top issues

### 1. CAS:

- Monitoring to see if tenants are fully aware of the new eviction notice periods;
- Monitoring to track what happens to tenants in the longer term i.e. those who are in rent arrears – are they evicted, do they fall into homelessness etc;
- Require clarification on what happens with existing eviction orders not yet executed;
- Understanding the issues and impacts for small scale landlords; and
- Where should tenants go to seek redress on repairs issues now that the FTT are not in operation?

### 2. Dundee City Council:

- Ensuring consistent and accurate messaging to landlords and tenants; and
- Clarification on what will happen in relation to empty properties – will landlords still be required to pay HMO license renewals, landlord reg etc? Can Council tax relief be provided?

### 3. SAL:

- Concerned about those landlords who 'fall between the cracks' in relation to qualifying for financial support – how can we help them?
- Council tax relief for landlords with empty properties;

## DRAFT

- Tenancy deposits – some landlords and tenants have agreed that using a deposit to help cover rent when a tenant is struggling to pay but schemes are reluctant to release on this basis; and
- Increased potential for illegal evictions.

### 4. Glasgow City Council:

- Clear, concise and regular communication with landlords is essential;
- Clarification on safety standards required quickly – local authorities need to know they are giving out the right information; and
- Need to ensure tenants are aware of their rights to get repairs carried out whilst FTT not operating.

### 5. Shelter Scotland:

- There is a need to make financial support for tenants reach them quicker. How can we address the wait for UC to be paid and also the shortfall in rent that may occur?
- How do we protect tenants when we revert back to the original legislation, especially where large rent arrears have been built up due to the pandemic;
- Illegal evictions – Police Scotland and local authorities have a role in monitoring; and
- High level awareness raising for tenants should be taking place.

### Action for Scottish Government

- Clarification on the approach being taken by Sheriff Officer for current cases where an eviction order has been granted.
- Highlight to UK Government the need to make clear who their landlord guidance comms relate to i.e. only landlords in England and Wales etc;
- Further clarity on inspections required for landlords and local authorities;
- Consideration of further letter on lenders being inflexible regarding mortgage breaks for landlords;
- Contact all local authorities (via SHMONG) to request they advise on approach to HMO licensing and to highlight approach in Glasgow;
- Further consideration of council tax relief for empty properties;
- Further consideration of financial support for tenants before UC kicks in;
- Investigate TDS approach to releasing deposits to cover rent payment issues; and
- Engage with Police Scotland to highlight the need for officers to be aware of illegal evictions law.

### Future meetings

- Meetings to take place every 2 weeks; and
- Membership to ensure rural representation should be sought.

**From {Redacted} COSLA**

**Sent:** 20 May 2020 10:15

**To:** {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} Propertymark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA

**CC:** {Redacted} SG

**Subject:** RE: Tenant Support Toolkit - Initial Scoping Document

Hi {Redacted}

Thanks for sending across the CAS publication, this is really valuable and would welcome an opportunity to chat further about how we can bring in the existing CAS resources . Happy to follow up with a call separately if this helps?

In terms of a deadline for comments, we are still very much in the scoping phase and there is no set deadline on when we would like to get this document out. It would be helpful if members could provide initial thoughts of feedback on the scoping document by COP Friday this week, but happy for more detailed discussions to come much later. Initially we were just wanting to have a temperature check on the value of such a document and any links to existing work in this area so we can begin to plan how the work will progress going forward.

Hope this helps,

Thanks to all for your time.

**{Redacted} COSLA**

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**From:** {Redacted} CAS

**Sent:** 15 May 2020 11:21

**To:** {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} Propertymark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA

**CC:** {Redacted} SG

**Subject:** Re: Tenant Support Toolkit - Initial Scoping Document

Hi {Redacted} SG

Thanks for this. Can you or {Redacted} COSLA confirm when comments are needed by?

In case it's of interest, CAS has now published our second monthly data pack here: <https://www.cas.org.uk/news/monthly-covid-19-data-impact-april-advice-sought-network>

As you'll see advice on PRS has risen as a proportion of all housing advice since February, now up to about a third of all housing advice, for a sector that only makes up around 14% of stock (chart 6). Advice on "difficulty making payments" also increased as a proportion of many housing-related arrears advice categories (chart 13).

We're also starting to see increases in the proportion of advice given on food banks and crisis grants, which may be worth considering when we're discussing the trade-offs some tenants might have to make to pay rent now or pay back arrears in the future.

Best,

{Redacted}

**{Redacted} CAS**

Citizens Advice Scotland 2 Powderhall Road , Edinburgh , EH7 4GB

{Redacted}

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**From: {Redacted} SG**

**Sent:** 15 May 2020 9:18 AM

**To: {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} PropertyMark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject:** FW: Tenant Support Toolkit - Initial Scoping Document

Dear All,

Please see the attached initial scoping document on Tenant support from **{Redacted} COSLA** which was mentioned at our Resilience group call on Wednesday.

Please send your comments should to **{Redacted} COSLA** .

Many thanks,

**{Redacted} SG**

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**From: {Redacted} COSLA**

**SG Sent:** 14 May 2020 17:19

**To: {Redacted} SG {Redacted} SG SFHA**

**Cc: {Redacted} PUBLIC HEALTH SCOTLAND) <{Redacted} SG**

**Subject:** Tenant Support Toolkit - Initial Scoping Document

Dear **{Redacted} SG**,

Following on from raising the issue at the PRSRG and SHRG meetings earlier this week I wanted to pass on an initial scoping document in relation to the Tenant Support Toolkit we are looking to develop.

It would be most appreciated if you could circulate this document to the resilience groups for comments and feedback to myself, **{Redacted}** We will be meeting again later next week to discuss responses from the resilience groups and how we can progress this work going forward with initial suggestions to form a working group and bring in wider sector partners e.g. Housing Support Enabling Group.

Many thanks in advance,

**{Redacted} | COVID-19 Homelessness (Temporary) | COSLA**

Verity House | 19 Haymarket Yards | Edinburgh EH12 5BH | **{Redacted}** |

[www.cosla.gov.uk](http://www.cosla.gov.uk)

Our Business Address is : COSLA, Verity House, 19 Haymarket Yards, Edinburgh, EH12 5BH. w: <http://www.cosla.gov.uk>

**From: {Redacted} SG**

**Sent:** 04 May 2020 11:55

**To: {Redacted} SG**

**Cc: {Redacted} SG**

**Subject:** FW: PRS Resilience Group: Meeting Three - 30 April at 10.30am - comments from Propertymark

Hi **{Redacted} SG**

Please see **{Redacted} Propertymark's** e-mail below re: your agenda item for the Resilience Group meeting on Consideration of post-Coronavirus (Scotland) Act 2020 protections. Not sure I am surprised by any of his thoughts. Is this something you want to respond to? Or do you want me to just thank him and say we will discuss further on Thursday?

Cheers,

**{Redacted} SG**

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**From: {Redacted} Propertymark**

**Sent:** 04 May 2020 11:25

**To: {Redacted} SG**

**Subject:** RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am

Good morning **{Redacted} SG**

Thank you for your email.

I thought I would respond to your request for comments on Consideration of post-Coronavirus (Scotland) Act 2020 protections here as I did not really wish to take up the full length of the call with our views on the topic.

Unless there is another serious spike in the contagion numbers or the pandemic worsens from the time of writing, then ARLA Propertymark would strongly oppose any proposals to either continue the extended notice periods or continue with all the grounds for possession to be discretionary beyond the statutory 30<sup>th</sup> September date.

It is appreciated this pandemic is a once in a lifetime (hopefully) matter and the measures introduced by the UK and Scottish Government's, all relatively hastily, to protect people's livelihoods and homes must be applauded. To this extent ARLA Propertymark were supportive on the initial changes introduced by the Coronavirus (Scotland) Act 2020 to the private rented sector.

The support was offered on the understanding that there would be a review on how the changes were taking affect and how the country in the whole is managing the pandemic. From conversations with our members we are not aware of any extraordinary issues that would currently require the regulations to remain in force.

Unless there has been a particular mischief that is being committed linked to COVID-19 or there is an abundance of evidence the Scottish Government can provide that justifies any continuation of the provisions and these measures are appropriate to control it, talk at this time of looking to extend any

of the provisions appears to be an emotional response to a perceived problem that nobody can actually prove exists.

If you consider the grounds the provisions affect

- 1) Abandonment – there is frustration already that this is considered discretionary.
- 2) Landlord wants to sell – effectively forcing a landlord to remain in the sector against their will. The current conditions are affecting many financially and potentially landlords, will have suffered and should not be prejudiced any longer from recovering their property.
- 3) Landlord wants to live in the property – a property owner should be entitled to recovery of their property should they wish to live in it. It should not be the decision of a tribunal to decide whose interests are best served by granting an order or not. It fundamentally alters the nature of a property right, which is that the owner of that property should, within reason, be entitled to use it as they wish.
- 4) Rent Arrears for 3 consecutive months – with rent being due in advance it means 4 months actual rent arrears before serving notice on a tenant and then there are the associated delays in getting through the tribunal. If the progress is smooth, then it is still approx. another 4 months before eviction. All in all, that is the possibility of 9 months' rent free for a tenant. If it remains discretionary and after serving a Notice to Leave at a hearing where the arrears are admitted but the tenant complains that because they may have had symptoms of Covid-19, there is no eviction. This does not in any way fairly balance the parties competing interest. The tenants would effectively be given a right to remain in a property rent free for an indefinite period and a landlord who just wants to be paid a fair rent for the property someone else is living in.

Progressing with the proposals pushes the balance way too far in favour of the tenant and the system is already stacked against the landlord. The mandatory grounds were set up in the first place to try and ensure there were robust processes for recovery in place to encourage investment into the sector. The point of that was to try and find a balance between what was acknowledged as an increase in tenure for tenants and a landlord's ability to get a property back in certain circumstances.

Announcing any continuation of the measures has the potential to alienate landlords and future investors particularly. There should always be balance and landlords' actions and circumstances should also be considered before actions are taken. During this time there have been many examples of:

- landlords being sympathetic with their tenant's circumstances and agreeing and accepting to reduced rents.
- Tenants who have simply vacated the property and left their belongings, however due to travel restrictions are unable to collect with landlords having to store storing these in their property free of charge
- Landlords losing their employment overseas and attempting, unsuccessfully so far, to recover their own property to live in on returning to the Country

Overall, without the compelling evidence there is a requirement to continue with the measures post 30<sup>th</sup> September it seems premature to consider this action.

Kind regards

**{Redacted} SG**



{Redacted} SG

Arbon House, 6 Tournament Court

Edgehill Drive, Warwick CV34 6LG



Keep up to date with the latest guidance for property agents:  
[arla.co.uk/members](http://arla.co.uk/members) | [naea.co.uk/members](http://naea.co.uk/members) | [nava.org.uk/members](http://nava.org.uk/members)

Consumer advice and guides from Propertymark

Propertymark Ltd trading as Propertymark  
Registered in England and Wales No. 897907

Registered office: Arbon House, 6 Tournament Court, Edgehill Drive, Warwick, CV34 6LG

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**From: {Redacted} SG**

**Sent:** 30 April 2020 17:54

**To: {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} Propertymark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject:** RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am

Dear all,

Further to **{Redacted} SG's** e-mail below just a couple of very short updates to let you know what we had in mind to discuss today and that we can get to next week on our re-arranged call.

- **Covid-19: A Framework for Decision Making: Considering pathways back to functionality for the housing services sector:**

Please see {Redacted} SG draft paper sent separately. Please let {Redacted} SG have any comments by the end of next week.

- **Update on the Landlord Support Fund:**

We anticipate that the PRS Landlord Emergency loan will open for applications next week. We will let Resilience Group members know when we update Coronavirus (COVID-19) guidance for private landlords and letting agents to include the link to the loan application website and the details of the dedicated email address for any enquiries.

- **Consideration of post-Coronavirus (Scotland) Act 2020 protections**

The current provisions under the 2020 Act are due to expire on 30 September 2020 unless extended. As you know we are already thinking about the pathways back to functionality for the housing sector in general and circulated some initial thoughts for comment earlier today. As part of this work we will need to consider what arrangements maybe required in relation to the transition from the extended notice to leave periods that currently apply to the pre-Covid requirements and procedures. One potential option we are exploring is continuing the discretion provided to the First-tier Tribunal for Scotland (Housing and Property Chamber) in determining whether to grant and eviction order for longer e.g. after the extended notice periods end. I'd be grateful for your views on this and any other potential options for managing transition.

- **PRS Resilience Group Action Log and Emerging Issues:**

Please see the attached paper which updates the group on the number of landlord registrations (the final point on the action log for today's meeting).

- **Stakeholder Issues/Concerns**

To note that the landlord and letting agent guidance page was updated this week to provide further advice around the evictions process:

<https://www.gov.scot/publications/coronavirus-covid-19-landlord-and-letting-agent-faqs/>

Look forward to discussing next week.

Kind regards,  
**{Redacted} SG**

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**From: {Redacted} SG**

**Sent:** 30 April 2020 11:33

**To: {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} Propertymark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject:** RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am

Dear all

As you have probably gathered, it hasn't been possible to find another conference call line at short notice. Sorry that the technology let us down on this occasion.

We will provide a written up date on the various agenda items as soon as we can, however, in relation to the first agenda item - Covid-19: A Framework for Decision Making: Considering pathways back to functionality for the housing services sector - please find attached a draft paper that Catriona has developed with some initial thoughts, which she would be grateful for your comments on by end of next week.

*File: Framework for Decision Making - Housing Sector thoughts.docx*

We will look to arrange another call next week, so can also discuss then. Please get in touch if there was a particular issue wanted to raise at the meeting or you'd like added to next week's agenda.

Apologies again.

**{Redacted} SG**

**{Redacted} SG**

**| Head of Private Rented Sector Team**

Scottish Government | Better Homes Division | Private Rented Sector Policy Team |  
2H North, Victoria Quay, Edinburgh, EH6 6QQ | **{Redacted} SG**

Practical guides if you're renting or letting a property in Scotland –

<https://rentingscotland.org/>

Guide for first-time tenants - <https://young.scot/campaigns/national/new-digs>

**From: {Redacted} SG**

**Sent:** 29 April 2020 15:48

**To: {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} Propertymark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject:** PRS Resilience Group: Meeting Three - 30 April at 10.30am

Dear All,

The third meeting of the PRS Resilience Group is due to take place tomorrow (30 April) at 10.30am, where we hope to cover the following agenda items (if you would like to add anything to the agenda, please do let me know):

- Covid-19: A Framework for Decision Making: Considering pathways back to functionality for the housing services sector
- Update on the Landlord Support Fund
- Consideration of post-Coronavirus (Scotland) Act 2020 protections
- PRS Resilience Group Action Log and Emerging Issues
- Stakeholder Issues/Concerns

Please also find attached a note of the last meeting and the latest Action Log/Emerging Issues document for the group:

Finally, a reminder of the dial in details for the conference call can be found below:

**{Redacted} SG**

Regards,  
**{Redacted} SG**

| Housing and Social Justice Directorate | The Scottish Government | Telephone: **{Redacted} SG**

**From:** {Redacted} SG  
**Sent:** 30 April 2020 19:47  
**To:** {Redacted} Shelter  
**Cc:** {Redacted} SG

**Subject:** RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am

Hi {Redacted}

Thanks for popping these issues down. I'll add them to the issues log and we can discuss at next weeks rearranged meeting?

{Redacted} SG

{Redacted} SG | **Head of Private Rented Sector Team**, Scottish Government | Better Homes Division | Private Rented Sector Policy Team | 2H North, Victoria Quay, Edinburgh, EH6 6QQ | {Redacted} SG

Practical guides if you're renting or letting a property in Scotland –  
<https://rentingscotland.org/>  
Guide for first-time tenants - <https://young.scot/campaigns/national/new-digs>

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**From:** {Redacted} Shelter  
**Sent:** 30 April 2020 12:27  
**To:** {Redacted} SG

**Subject:** RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am

{Redacted}

IT issues seem to be a regular hazard of all our jobs at the min! Just wanted to send over an email with some of the key concerns and questions that Shelter Scotland wanted to raise in the meeting today.

We are hearing from our advisors that there are still illegal practices still going on in the PRS. Several cases reported in Dundee of landlord asking for payment of one year's rent up front. There are also illegal evictions still taking place. Particularly concerned about a case which our advisors in Glasgow reported, where a PRS tenant lost their job because of COVID, their UC payments were then miscalculated and it resulted in them being 1 week late on their rent. The tenant was physically thrown out of the property and had to make homelessness application.

For the minority of landlords who are not following the guidance issued by the Scottish Government on practices during COVID, has there been discussion on how can we ensure that they are prevented from operating in this way so tenants are protected? Some we know are not registered, which is causing an issue and we are reporting them to the relevant teams in the council where we come across them, however our concern is that they will continue to operate if they are not challenged and sanctioned.

We also wanted to ask a question on DHP and the Scottish Welfare Fund. Obviously really good that these crisis grants exist and tenants are very appreciative of them, however we are hearing through

our advisors that there appear to be delays in people being granted the money. Have you had any more feedback from Local Authorities on how quickly claimants are able to access these emergency grants, and if there are any difficulties arising?

Looking forward to the meeting next week.

Best wishes,

{Redacted}

{Redacted}

Policy Advocacy Officer

{Redacted}



Scotiabank House, 6 South Charlotte Street | Edinburgh | EH2 4AW

[Website](#) | [Facebook](#) | [Twitter](#)

Due to government guidance on the Coronavirus Pandemic, I am now working from home; you can still contact me via Skype, phone and email as normal. I will respond to your email as soon as possible.

[shelterscotland.org/coronavirusadvice](https://shelterscotland.org/coronavirusadvice)

## Coronavirus housing advice

**'What are my rights?'**

[shelterscotland.org/coronavirusadvice](https://shelterscotland.org/coronavirusadvice)



## PRS Resilience Group

22 June 2020

### Note of Meeting

#### In attendance:

- {Redacted}, Shelter Scotland
- {Redacted}, Dundee City Council
- {Redacted}, Propertymark
- {Redacted}, Shelter Scotland
- {Redacted}, Glasgow City Council
- {Redacted}, North Ayrshire Council
- {Redacted}, Scottish Association of Landlords (SAL)
- {Redacted}, COSLA
- {Redacted} Public Health Scotland
- {Redacted}, Public Health Scotland – Guest to discuss PHS toolkit
- {Redacted}, Citizen Advice Scotland (CAS) – **Chair**
- {Redacted}, ALACHO
- {Redacted}, SG

#### Apologies:

- {Redacted}, SG
- {Redacted},, Citizen Advice Scotland (CAS)
- {Redacted}, Dundee City Council
- {Redacted},, City of Edinburgh Council

#### 1. Welcome and introductions

{Redacted} opened the meeting and welcomed participants.

#### 2. Note of previous meeting and action log

The group was content with the note of the previous meeting.

#### Action log updates:

**Action 9:** Still ongoing

**Action 12:** Figures for May show that new applications are down 15%. Renewals holding up slightly. April and May have similar figures.

**Action 13:** Recent information was sent out on Friday. Would be helpful if could let members know of confirmed dates in future. It was also suggested be useful to know the number of bounce back emails.

**Action 19 and Action 27:** Group agreed should amalgamate actions 19 and 27. GCC advised they have extended the time period to apply by another two months, taking it to five months in total.

### **3. Feedback from ministerial meeting with resilience group chairs**

{Redacted} talked through the note and advised that these meetings are being held weekly every Wednesday. From a PRS Resilience Group perspective, the meetings have discussed supporting and engaging with tenants and the tenant toolkit under development. Also wider discussions on how to link void properties with PRS. Shelter advised they have talked to empty homes officers and there needs to be increased work around this, particularly on properties empty for less than 6 months.

**Action 34:** Request that {Redacted} provides an update on the Empty Homes work at next meeting.

### **4. Private Landlord Pre-Action Protocols**

{Redacted} SG thanked members of the group who have provided feedback on the protocols, which are currently being considered. The regulations are due to be laid to Parliament the first week of August and come into force the first week of September. The regulations will be temporary, time limited and tied to the Coronavirus (Scotland) (No. 2) Act 2020. There is a commitment to make the regulations part of the process permanently and this will be considered post-COVID. Guidance will also be published and members are keen to have them published in advance, if possible.

{Redacted} SG advised that tribunal members will be versed and part of the process in response to query on the support available. {Redacted} SG also advised that although landlords don't have to follow the protocols, the tribunal will consider what the landlord has done beforehand as part of the discretionary nature of the emergency provisions.

Suggestions were made by the group including:

- could discuss the protocols with lenders
- checking sample forms from letting agencies might assist
- might also be helpful to have case studies included in the guidance

**Action 35:** All - Contact {Redacted} SG if you still want to provide feedback or to discuss further

**Action 36:** {Redacted} SG will provide a further update on this work in due course

### **5. Public Health Scotland Toolkit for tenants**

{Redacted} PHS advised that the subgroup have met to discuss this toolkit which will provide tenants with key information on tenancy sustainment, financial support and also wider, information domestic abuse and mental health signposting. They are currently taking comments and drafting up the first document. The PRS group have been asked to provide any case studies. There was also discussion on how to circulate this toolkit out with social media channels. It was also suggested the need to link into the local authority resilience group.

**Action 37:** {Redacted} SG – will liaise with {Redacted} SAL and provide copies of case studies to {Redacted} PHS. All – if anyone else has any case studies then please also send to {Redacted} PHS.

**Action 38:** SG – to consider how this toolkit could be circulated out with social media channels.

**Action 39:** {Redacted} SG - Letter from Minister to all PRS tenants and the need to link up with the Social Housing Resilience Group on this

## **6. Tenancy Sustainment**

The group discussed what the risks were to tenants in the PRS in relation to effective tenancy sustainment, in order to minimise evictions and rent arrears. CAS set out that failure of tenancy is usually due to some form of income shock (i.e. redundancy etc) which tenants struggle to recover from. CAS will share information with the group from their monthly statistics. The group discussed the need to protect people from eviction further down the line i.e. September onwards. It was suggested that it would be helpful if landlords could provide information on other sources of help/support available to tenants. Communication of tenancy sustainment should be targeted through letting agents, registered landlords and landlord registration and directly to the public by targeted social media activity. The group discussed the transferring of property ownership with sitting tenants and how commercial lenders have a different approach to buy to let.

**Action 40:** CAS will share information with the group from their monthly statistics.

**Action 41:** Discuss tenancy sustainment further at next meeting

## **7. Holiday lets/Airbnb**

The group discussed the licensing of holiday lets and Airbnb's and the impact of many short term let owners moving into longer term lets, due to voids. Shelter suggested that the regulations being taken forward by the SG in relation to short term lets need to come into force earlier and it was suggested that policy leads in this area could attend a future meeting to discuss further.

**Action 42:** SG to arrange for the appropriate policy leads to provide a written update regarding the regulations for short term lets

## **8. AOB**

Social media activity has suggested that tenants interests are not appropriately represented on the PRS Resilience Group. The group discussed and agreed that CAS and Shelter represent tenants.

**Action 43:** {Redacted} SG will feedback to Minister and provide an update to the group.

## **9. Date and Time of next meeting**

The next meeting will be held on Monday 6 July from 2pm until 3:30pm.

**From: {Redacted} CAS**

**To: {Redacted} SG; Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} PropertyMark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject: RE: PRS Resilience Group: Meeting Three -**

Hi all,

Thank you for all the engagement and information thus far. Please find attached some thoughts from CAS on the framework for decision making from a housing perspective. We'll also continue to regularly share frontline data from advisers and our public advice site, and hope that you and colleagues will find that useful in informing the government's approach.

Hope you're all enjoying the long weekend.

Best,

**{Redacted} CAS**

**{Redacted}**

Citizens Advice Scotland 2 Powderhall Road , Edinburgh , EH7 4GB

{Redacted}

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**From: {Redacted} SG**

**Sent: 30 April 2020 5:54 PM**

**To: {Redacted} SG; Redacted} SAL; {Redacted} Glasgow city Council ;  
{Redacted} Dundee City Council; {Redacted} PropertyMark; {Redacted} Shelter  
{Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject: RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am**

Dear all,

Further to Charlotte's e-mail below just a couple of very short updates to let you know what we had in mind to discuss today and that we can get to next week on our re-arranged call.

**Covid-19: A Framework for Decision Making: Considering pathways back to functionality for the housing services sector:**

Please see {Redacted}SG draft paper sent separately. Please let {Redacted} have any comments by the end of next week.

- **Update on the Landlord Support Fund:**

We anticipate that the PRS Landlord Emergency loan will open for applications next week. We will let Resilience Group members know when we update Coronavirus (COVID-19) guidance for private landlords and letting agents to include the link to the loan application website and the details of the dedicated email address for any enquiries.

- **Consideration of post-Coronavirus (Scotland) Act 2020 protections**

The current provisions under the 2020 Act are due to expire on 30 September 2020 unless extended. As you know we are already thinking about the pathways back to functionality for the housing sector in general and circulated some initial thoughts for comment earlier today. As part of this work we will need to consider what arrangements maybe required in relation to the transition from the extended notice to leave periods that currently apply to the pre-Covid requirements and procedures. One potential option we are exploring is continuing the discretion provided to the First-tier Tribunal for Scotland (Housing and Property Chamber) in determining whether to grant and eviction order for longer e.g. after the extended notice periods end. I'd be grateful for your views on this and any other potential options for managing transition.

- **PRS Resilience Group Action Log and Emerging Issues:**

Please see the attached paper which updates the group on the number of landlord registrations (the final point on the action log for today's meeting).

- **Stakeholder Issues/Concerns**

To note that the landlord and letting agent guidance page was updated this week to provide further advice around the evictions process:

<https://www.gov.scot/publications/coronavirus-covid-19-landlord-and-letting-agent-faqs/>

Look forward to discussing next week.

Kind regards,

**{Redacted} SG**

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**From: {Redacted} SG**

**Sent:** 30 April 2020 11:33

**To: {Redacted} SG; Redacted} SAL; {Redacted} Glasgow city Council ; {Redacted} Dundee City Council; {Redacted} Propertymark; {Redacted} Shelter {Redacted} CAS; {Redacted} Alacho: {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject:** RE: PRS Resilience Group: Meeting Three - 30 April at 10.30am

Dear all

As you have probably gathered, it hasn't been possible to find another conference call line at short notice. Sorry that the technology let us down on this occasion.

We will provide a written up date on the various agenda items as soon as we can, however, in relation to the first agenda item - Covid-19: A Framework for Decision Making: Considering pathways back to functionality for the housing services sector - please find attached a draft paper that Catriona has developed with some initial thoughts, which she would be grateful for your comments on by end of next week.

*File: Framework for Decision Making - Housing Sector thoughts.docx*

We will look to arrange another call next week, so can also discuss then. Please get in touch if there was a particular issue wanted to raise at the meeting or you'd like added to next week's agenda.

Apologies again.

**{Redacted} SG**

**| Head of Private Rented Sector Team**

Scottish Government | Better Homes Division | Private Rented Sector Policy Team | 2H North, Victoria Quay, Edinburgh, EH6 6QQ | **{Redacted} SG**

Practical guides if you're renting or letting a property in Scotland –

<https://rentingscotland.org/>

Guide for first-time tenants - <https://young.scot/campaigns/national/new-digs>

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**From: {Redacted} SG**

**Sent:** 29 April 2020 15:48

**To: {Redacted} SG; {Redacted} SAL; {Redacted} Glasgow city Council ; {Redacted} Dundee City Council; {Redacted} PropertyMark; {Redacted} Shelter {Redacted} CAS; {Redacted} Alacho; {Redacted} COSLA**

**CC: {Redacted} SG**

**Subject:** PRS Resilience Group: Meeting Three - 30 April

Dear All,

The third meeting of the PRS Resilience Group is due to take place tomorrow (30 April) at 10.30am, where we hope to cover the following agenda items (if you would like to add anything to the agenda, please do let me know):

- Covid-19: A Framework for Decision Making: Considering pathways back to functionality for the housing services sector
- Update on the Landlord Support Fund
- Consideration of post-Coronavirus (Scotland) Act 2020 protections
- PRS Resilience Group Action Log and Emerging Issues
- Stakeholder Issues/Concerns

Please also find attached a note of the last meeting and the latest Action Log/Emerging Issues document for the group:

*File: Coronavirus (Scotland) Bill - PRS Resilience Group - Note of meeting - 16 April 2020.docx*

*File: PRS RESILIENCE GROUP - Action Log - Updated 28 April 2020.docx*

Finally, a reminder of the dial in details for the conference call can be found below:

**{Redacted} SG**

Regards,

**{Redacted} SG**

| Housing and Social Justice Directorate | The Scottish Government | Telephone: **{Redacted} SG**

**From: {Redacted} SG**

**Sent:** 27 May 2020 12:02

**To: {Redacted} SG**

**Subject:** FW: PRS resilience group follow up - rent guarantee insurance

Hi both

This is a bit more information from **{Redacted} Propertymark** on rent guarantee insurance that he raised at the resilience meeting. I've gone back to ask him if he knows whether it's been raised with anyone in SG.

Regards

**{Redacted} SG**

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**From: {Redacted} Propertymark**

**Sent:** 27 May 2020 11:30

**To: {Redacted} SG**

**Subject:** RE: PRS resilience group follow up

Hi **{Redacted} SG**

The concerns were raised by lawyers who act on behalf of the insurance providers.

With the Act leaving landlord possession of the property as so materially compromised the providers are reviewing their policies to establish if it is worth continuing offering them.

As it is looking likely a tenant can build up approximately a year of rent arrears prior to removal continuing to offer these products is not looking like a sensible business decision, particularly as the rental guarantee usually provides legal cover as well.

The policies are not only taken by individual landlords with small portfolios but it is generally the practice for larger institutional investors to ensure these policies are in place prior to investing in the Private Rented Sector.

I had a quick call with the lawyers this morning, they will try to see if the insurers wish to comment officially on the above, in the meantime they have said that they will have to issue a report to the insurers on the implications of the No2 Act predominately based on the Pre Action requirements that are now in force but have yet to be specified.

I hope this helps meantime.

Thanks

**{Redacted}**

**{Redacted} Propertymark**

{Redacted} Propertymark



**{Redacted} SG**

Arbon House, 6 Tournament Court Edgehill Drive, Warwick CV34 6LG

[propertymark.co.uk](http://propertymark.co.uk)



Keep up to date with the latest guidance for property agents:  
[arla.co.uk/members](http://arla.co.uk/members) | [naea.co.uk/members](http://naea.co.uk/members) | [nava.org.uk/members](http://nava.org.uk/members)

Consumer advice and guides from Propertymark

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**From: {Redacted} SG**  
**Sent:** 27 May 2020 09:00  
**To: {Redacted} Propertymark**  
**Subject:** PRS resilience group follow up

Hi **{Redacted} Propertymark**

Hope you are well. At the last meeting of the PRS resilience group, I think you mentioned that there were some concerns amongst landlords that an extension to the Corona Virus Act may affect a landlord's rent guarantee insurance. Would you be able to give me some more details about the reasons this could happen

Regards

**{Redacted} SG**

Better Homes Division, Scottish Government | Housing and Social Justice