

## Tenement Condition: Workplan for 2021

The Scottish Government's response to the Scottish Parliamentary's Working Group on Tenement Maintenance report set out that the Scottish Government would publish a series of actions to address the recommendations.

As part of that work plan, during 2021 we will engage with the Scottish Law Commission with a view to referring these matters to them to carry out a law reform project.

In 2021 we also intend to undertake the following:

What we said we would do	How we will do it	When we intend to do it
Support development of good practice to encourage owners to set up their own associations	Tender for the development of a tenement owners' association toolkit	Publish tender in March 2021
Commission research to determine the proportion, geography, and tenure mix of relevant buildings, and how this may affect the viability and establishment of owners' associations	Tender for research on tenement ownership, to inform viability of owners' associations	Publish tender in March 2021
Commission research to evaluate what factors affect repair costs and how to set a level of expected contribution for a building reserve fund	Tender for research on repair costs and contributions to building reserve funds	Publish tender in September 2021
Consider what an affordable, viable compulsory factoring service might look like, and engage with property factors on this	Engagement with tenement owners on compulsory factoring services and workable alternatives. Engagement with factors on provision of affordable compulsory factoring services.	May to November 2021
Include tenement condition as part of improvements to Home Reports, and develop a form and framework for a tenement condition report	Develop proposals as part of the outstanding actions from the Home Report Review	June to December 2021

<b>What we said we would do</b>	<b>How we will do it</b>	<b>When we intend to do it</b>
Code of Conduct for Property Factors	The Order was made (signed by the Minister) on 2 March 2021	Revised code of conduct is expected to come into force in August 2021.
Convene a forum of finance professionals to advise on a building reserve fund	Publish invitation for interest in a forum for financial professionals to consider building reserve funds	November 2021, with a view to convene forum in 2022 following publication of research on repair costs
Develop proposals for a publically accessible online platform to support access to tenement condition reports	Paper on options for public platform for tenement condition reports	Start in December 2021 with a view to publish in March 2022

Separately from actions recommended by the Working Group, the Scottish Government will be taking the following additional actions during 2021 which will contribute to the improvement of condition in tenements, and in housing generally. During 2021 we will:

- Publish a public consultation on changes to the tolerable standard, the basic standard for all housing, and the Scottish Government guidance that supports this standard. This consultation will be informed by recommendations of the Tolerable Standard Working Group <https://www.gov.scot/publications/tolerable-standard-grouprecommendations/>; and
- Circulate draft guidance for private landlords on changes to the repairing standard which will come into force in 2024. It is our intention to share the first iteration of this with key stakeholders as soon as it is permissible and plan to publish the final guidance by the end of 2021.

Scottish Government March 2021