

## **Tenant information pack: information for landlords and letting agents**

### **Q: What is the tenant information pack?**

A: The tenant information pack is a standardised pack which provides information to tenants in privately rented housing. It talks about property condition, tenancy agreements, and the rights and responsibilities of landlords and tenants.

The aim of the pack is to improve the accessibility of information available to tenants. Good information may already be available to tenants and the pack is not intended to replace this, but to ensure that all tenants in privately rented homes receive the same minimum standard of information.

### **Q: When did the regulations come into effect?**

A: Since 1 May 2013, a tenant information pack has had to be provided for all new assured and short assured tenancies.

### **Q: What do the regulations mean for landlords and letting agents?**

A: Landlords who provide an assured or short assured tenancy will have a legal duty to provide new tenants with a tenant information pack, under section 30A of the Housing (Scotland) Act 1988. This includes the renewal of existing tenancies where the landlord and tenant draw up a new lease. A tenant information pack will not be required for existing leases.

The tenant information pack includes information on the Repairing Standard, and its provision satisfies the separate obligation of a landlord to provide a tenant with written information about the landlord's duty to repair and maintain (Chapter 4 of Part 1 of the Housing (Scotland) Act 2006).

### **Q: Which landlords have to comply with the regulations?**

A: All landlords who provide an assured or short assured tenancy will have to comply with the tenant information pack regulations.

### **Q: What happens if a landlord uses a letting agent?**

A: If a letting agent manages the tenancy the tenant should still receive a pack. A letting agent can provide the pack on behalf of the landlord. However, the legal duty to ensure that the tenant receives a tenant information pack remains with the landlord.

### **Q: Where can I find the tenant information pack?**

A: [Tenant Information Pack](#).

### **Q: What does a landlord have to do with the tenant information pack?**

A: A landlord must provide new tenants with the tenant information pack by the tenancy start date. The landlord can provide their details on the acknowledgement form, and the pack can then be provided to the tenant in hardcopy or electronically. Also, where there are joint tenants they can be asked to accept one pack between them.

### **Q: Can a landlord produce their own version of the tenant information pack?**

A: Landlords have a legal duty to provide the tenant information pack as it is set out on the Scottish Government website. The pack must not be modified. Where a landlord wishes to

replicate the content of the pack to, for example, incorporate a company logo, they must indicate that the source material has been derived from the Scottish Government.

It is recognised that good information is already available to tenants and the tenant information pack is not intended to replace this. More detailed information (e.g. property specific information, local contacts) can be made available to supplement the tenant information pack.

**Q: How does the tenant information pack relate to the lease?**

A: The pack is not part of the tenancy agreement but sets out important information that is relevant to the tenant and landlord. Tenants and landlords should refer to their lease for more specific information on their tenancy.

**Q: What happens if a landlord does not provide a tenant information pack?**

A: Failure to provide a tenant information pack is a criminal offence. If a landlord does not provide the pack, they can be fined up to £500.

**Q. Will the tenant information pack be revised to reflect changes in housing law?**

A. Yes, the pack will be updated to reflect any future change in housing law. With this in mind, when landlords are issuing the tenant information pack to new tenants they should refer to the Scottish Government website for the most up-to-date version of the pack.

**Q: How should a landlord receipt a tenant information pack which is provided electronically?**

A: Where tenant is provided with the tenant information pack by electronic communication, the landlord fulfils their legal duty by requesting that the tenant information pack's receipt be acknowledged by electronic communication.