

From: {Redacted}

Sent: 03 June 2020 15:35

To: {Redacted} SAL

Subject: PRS resilience group

Importance: High

Hi {Redacted}

Sorry this is short notice. There is a meeting of the Resilience Group chairs taking place tomorrow afternoon at 2pm which Mr Stewart will be chairing. As the PRS resilience does not have an external Chair, we thought perhaps yourself and another member of the group might be able to attend. If you are available, would you be able to dial in? We will forward you dial in details.

Regards

{Redacted}

{Redacted}

Better Homes Division, Scottish Government | Housing and Social Justice

{Redacted}

**PRS RESILIENCE GROUP
ACTION LOG**

Action	Raised By	Date	Leading	Progress/Update	RAG Status
1. Clarification on the approach being taken by Sheriff Officer for current cases where an eviction order has been granted.	Shelter CAS	Meeting One	SG	Response from Society of Messengers at Arms issued to group advising of latest position.	Complete
2. Highlight to UK Gov. the need to make clear who their landlord guidance comms relate to i.e. only landlords in England and Wales etc.	SAL	Meeting One	SG	Issue raised with UK Government at MHCLG. Efforts being made to ensure information indicates clearly where it applies to England only. Further contacts provided to follow up with other relevant UK Government departments e.g. in relation to Right to Rent - action ongoing where it applies to England only. Regular catch-up with MHCLG colleagues established to share information and inform response.	Complete

3. Further clarity on inspections required for landlords and local authorities.	SAL	Meeting One	SG	Online guidance updated, Minister has written to UK Govt., (HSE issued update last week).	Ongoing
4. Consideration of further letter on lenders being inflexible regarding mortgage breaks for landlords.	SAL	Meeting One	SG	UK Finance addressed this point during their update at meeting two of the PRS Resilience Group.	Complete
5. Contact all local authorities (via SHMONG) to request they advise on approach to HMO licensing and to highlight approach in Glasgow.	SG	Meeting One	SG	Edinburgh Council were originally going to follow Glasgow's approach but have now indicated they think this is in breach of existing legislation. Awaiting SG legal advice.	Ongoing
6. Further consideration of council tax relief for empty properties.	SAL	Meeting One	SG	Was reported at meeting 3 that some councils in England were writing off Council Tax in England but that this is not happening in Scotland. Reported at meeting 4 that CT support is available for landlords of unfurnished properties for 6 months. Update provided to the group on current position, and changes to council tax resulting from amendments in the Coronavirus (Scotland) (No.2) Bill.	Complete

7. Further consideration of financial support for tenants before UC kicks in.	Shelter CAS	Meeting One	SG	SG has written to UK Govt. regarding flexibilities but repayments of advance can now be spread over 24 months.	Completed
8. Investigate TDS approach to releasing deposits to cover rent payment issues.	SAL	Meeting One	SG	The current approach sets out that a landlord can claim a deduction for any unpaid rent from their tenant's deposit, as long as this is specified in the tenancy agreement. If the tenant disagrees with the landlords calculation of rent arrears they can refer it to the tenancy deposit schemes adjudication service.	Completed
9. Engage with Police Scotland to highlight the need for officers to be aware of illegal evictions law.	Shelter CAS	Meeting One	SG	<p>Police Scotland have confirmed that the provisions within the emergency bill have been highlighted to local policing through Operation Talla.</p> <p>We are awaiting formal confirmation if there have been any incidents/occurrences relating to the change in legislation but an initial informal review suggests that there have been no landlords charged with any offences.</p>	Ongoing

10. Consider communicating using Tenant Deposit Scheme channels.	All	Meeting Two	SG	All 3 schemes have previously been extremely supportive and helpful in issuing information on behalf of the SG. Has now been used as a channel for some comms.	Complete
11. SG to investigate online model tenancy downloads / online version is up to date and are fully legal	Propertymark	Meeting Two	SG	Response issued directly, all forms. Changes made to all forms by Coronavirus (Scotland) Act 2020 are legally compliant.	Complete

Issue	Raised By	Date	Leading	Update/Action	
12. Concerned with the numbers of Landlord registrations, noticed large drop already in April. SG to do analysis.	Glasgow City Council	Meeting Two	SG/LAs	SG Landlord Registration Team produced statistics for meeting 3. Following feedback from Dundee LA further information being sought to establish extent of the issue.	Ongoing
13. More Guidance for Tenants needed	CAS	Meeting three	SG	SG to draft additional communications for comment.	Ongoing
14. Difference in interpretation of retail definition for claiming of domestic rate relief between England and Scotland.	SAL	Meeting three	SG	SG have referred to appropriate team for guidance and will update group.	Ongoing
15. Tenants need support in accessing Discretionary Housing Payments and quicker turnaround of claims.	Shelter	Meeting three	SG	Meeting 4 update: Update provided to the group. While local authorities are responsible for Discretionary Housing Payments (DHP) Scottish	Complete – sharing information on issues related to DHP and

Issue	Raised By	Date	Leading	Update/Action	
				Government policy team will provide support where necessary due to increased demand.	Welfare Fund to be ongoing.
16. Further discussions to take place between SG and other interested parties over the next steps towards revised guidance when overall Covid-19 guidelines change.	SG	Meeting three	SG	SG to continue discussions	Ongoing
17. Some landlords with more than five properties are having problems with rent payments and cannot access help.	SAL	Meeting four	SG	SG to pass address for PRS loan mailbox to SAL. Landlords with concerns can contact SG, allows SG to build a better picture of gaps in support. PRSLandlordCovid-19Loan@gov.scot	Ongoing
18. Landlords are concerned about arrears rising when furlough ends. Empty properties are becoming more of a concern for landlords.	SAL	Meeting four	SG	SG and SAL to track changes on empty properties and arrears over the coming months. Home Moves in Scotland Restart and Recovery working group established to consider issues and develop guidance.	Ongoing
19. How the Coronavirus Act impacts on areas such as HMO licensing.	SG	Meeting four	SG	SG to circulate note with more detail on the Coronavirus Act to the group	Ongoing
20. How to raise awareness amongst tenants on their rights re landlord harassment	CAS	Meeting four	CAS/COSLA	CAS will feed into COSLA toolkit for tenant support (see 24)	Ongoing

Issue	Raised By	Date	Leading	Update/Action	
21. Letting agent putting pressure on new tenants to sign agreement to pay re advertising costs if they end tenancy early.	Dundee City Council	Meeting four	Dundee/SG	Dundee will pass concerns about letting agent to SG letting agents team. (Shelter will share information with Dundee)	Ongoing
22. SAL raised concerns about lack of response from some local authorities to offers of housing from PRS landlords...	SAL	Meeting four	SG/COSLA	Further discussion proposed bringing together third sector groups like CAS and Shelter, SG resilience groups and local authorities	Ongoing
23. Concerns that rent guarantee insurance may be invalidated by extension of the Coronavirus Act.	Propertymark	Meeting four	SG	SG to discuss with insurance providers	Ongoing
24. COSLA is developing a toolkit for tenant support. COSLA would welcome any input from members.	COSLA	Meeting four	COSLA	COSLA will contact members with particular asks for case studies etc. COSLA circulated a scoping document for comments by Friday 22/5	Ongoing

From: {Redacted} SG

Sent: 26 May 2020 16:13

**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

Dear all

Please find attached the note of our meeting on 13 May 2020 and the action log from that meeting. Our next meeting is tomorrow, 27 May from 2 – 3.30 pm and the dial in details are attached below.

For your information, The Corona Virus (Scotland) (No. 2) Act was given Royal Assent today and will come into force tomorrow (27 May).

I look forward to meeting you tomorrow

Regards

{Redacted} SG

Dial in details - {Redacted}

{Redacted} SG Better Homes Division, Scottish Government | Housing and Social Justice. **{Redacted}**
SG

PRS RESILIENCE GROUP VIRTUAL MEETING: 13 May 2020

Meeting Agenda

- Note of last meeting
- Coronavirus (Scotland)(No.2) Bill – Update
- Update on the Landlord Support Fund
- PRS Resilience Group Action Log
- What does recovery look like
- Stakeholder Update - Issues/Concerns
- AOB

In attendance:

- **{Redacted}**, Citizen Advice Scotland (CAS)
- **{Redacted}**, ALACHO
- **{Redacted}** Shelter Scotland
- **{Redacted}**, Scottish Association of Landlords (SAL)
- **{Redacted}**, Propertymark
- **{Redacted}**, COSLA
- **{Redacted}**, Dundee City Council
- **{Redacted}**, Glasgow City Council
- **{Redacted}**, SG

Apologies

- **{Redacted}**, Shelter Scotland
- **{Redacted}** SG

1. Note of previous meeting

The group was content with the note of previous meeting.

2. Landlord Support fund:

At 11 May 25 completed applications had been received and were being processed, along with approximately 80 partially completed applications. Initial estimates were for 600 loan applications in 6 weeks.

Noted some concerns being expressed by landlords with 6-10 properties and over 10 properties who are not eligible for funds. SG is keen to build up a picture of need in the sector, so any landlords that are out with the scheme can contact the loan fund mailbox to set out their circumstances.

SAL noted that some landlords have concerns about or are not able to access mortgage holidays. Also noted that rent arrears are not as severe as first thought but could become an issue at the end of furlough. Empty properties are becoming more of a problem, particularly student accommodation.

Action 1 : **SG** to forward PRS loan fund e mail address to SAL to pass on to landlords who are having problems with rent payments and have more than 5 properties.

Action 2: SG and SAL to keep in touch to track changes on arrears and empty properties over the next few months.

3. Action Log Updates

HMO licensing – still waiting on legal advice on extensions to licensing.

Action 3: SG to circulate note with more detail on the Coronavirus Act to the group.

Officials have been looking at the issue of council tax and unoccupied private rented properties, but so far are not convinced that action needs to be taken. Support is available for landlords for 6 months for unoccupied properties. SAL noted that there was concern amongst landlords with furnished properties who are eligible for 10% relief on Council tax and cannot remove furniture because of lockdown. Feel pressured to re-let as they cannot afford both council tax and mortgage repayments.

While local authorities are responsible for Discretionary Housing Payments (DHP) Scottish Government policy team will provide support where necessary due to increased demand.

4. Stakeholder update

CAS has updated their stats for April. PRS advice has jumped to one –third of housing advice queries and there has been an increase in page views on renting a house and noted a couple of examples of landlord harassment. An SG discussion with Police Scotland suggested that there have not been any charges for harassment by landlords, but still to be confirmed officially.

Action 4: Think about what we need to do to raise awareness amongst tenants.

Dundee is currently dealing with the renewal of HMO licences with a common renewal date. Some concerns about a letting agent reported to be asking students to agree to paying fees to re advertise a property if they leave early. Shelter advisors have had similar reports.

Action 5: Dundee will pass information to SG letting agents team and Shelter will pass information from advisors to Dundee Council.

ALACHO has no current issues, but noted the strategic role of the PRS in the recovery process and that there is a discussion to be had about evictions and possible homelessness when evictions return.

SAL noted that some landlords had offered empty properties to local authorities but had no response. ALACHO noted that not all LA s need a housing supply from the PRS. Further discussion is needed by bringing together third sector organisations like CAS and Shelter, SG resilience groups e.g. LA resilience and PRS, and local authorities.

Action 6: {Redacted}SG and {Redacted} will pick this up this with SAL and ALACHO

SAL – need more guidance on recovery for landlords and letting agents when lockdown eases including viewing empty properties safely and safely carrying out repairs

PropertyMark - some letting agents cannot access £25k grant but should be eligible if considered as retail.

Also concerned that rent guarantee insurance may be invalidated by extension of the Coronavirus Act.

Action 7: SG to discuss with insurance providers

COSLA – The local Authority Resilience group meeting is developing guidance on lettings. Work is underway across resilience groups to develop a toolkit for tenant support covering tenancy sustainment, debt advice, CAS and mental health. Any group members who wish to work collaboratively should contact Katey in the first instance. CAS is happy to support.

Action 8: {Redacted} will come back to the group with particular asks for case studies etc.

Glasgow CC - Suggested agenda item on 'what does recovery look like' for the next meeting. Also noted a problem with students not going back to university/College. Action: Add 'what will recovery look like' to agenda for next meeting.

5. AOB

ALACHO – consider the impact on the build to rent sector and how it might recover.

Statutory protection for students renting from Universities or purpose built accommodation is being considered.

Views expressed on short term lets sector and how they may now move to longer term letting with the impact on market.

While guidance on moving house in England has changed there are no changes to the restrictions in Scotland. While there is no prohibition on moving house, guidance says it should only be done to prevent homelessness.

Discussion by group on whether guidance needed re-enforcing that it had not changed though English guidance had. Comments suggested that it was clear as it is.

Next meeting date and time to be confirmed by e mail.

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** 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 Catriona's 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).

See annex attached

- **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

From: {Redacted} SG

Sent: 30 April 2020 11:33{Redacted} SG

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 {Redacted} SG 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:

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:

Contact details {Redacted}

Regards,

{Redacted}

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

Annex

Landlord Registrations

New / Renewal applications comparison

Mar-19				Mar-20				in month difference		
LA	Received			LA	Received			New	Renew	Total
	New	Renew	Total		New	Renew	Total			
								0	0	0
Total	2171	5743	7914	Total	1636	6017	7653	-535	274	-261

Apr-19				Apr-20				in month difference		
LA	Received			LA	Received			New	Renew	Total
	New	Renew	Total		New	Renew	Total			
								0	0	0
Total	1958	5413	7371	Total	777	4404	5181	1181	-1009	2190

*April 20 information to 28th April

- All LA's have a reduction in New applications in April down 60%
- April Renewals overall down 19%
- Overall reduction 30% in April, 3% in March
- Edinburgh and Dundee though have a slight overall rise in April due to increased renewals
- Figures are subject to adjustment at month end

The maybe a number of contributing factors

- the sale of properties has all but ceased therefore new landlords can't complete a sale so don't need to register.
- a huge number of PRS properties were vacated early when the Universities shut as all the students went home, causing unexpected long void periods for landlords. This may put some potential new landlords off
- a few landlords who have not renewed their registrations because their property has unexpectedly been vacated and there is little change of letting it again soon particularly when their target market is students

From: {Redacted} SG

Sent: 15 May 2020 09:19

**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

From: {Redacted} SG Sent: 14 May 2020 17:44

To: {Redacted} SG

Cc: {Redacted} SG >

Subject: FW: Tenant Support Toolkit - Initial Scoping Document

Hi **{Redacted} SG**

Would you be able to circulate this to the resilience group tomorrow as {Redacted} SG isn't back in the office until Monday? Comments back to those noted in {Redacted} e-mail.

Thanks

{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 | Mob: **{Redacted}**

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} COSLA

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}

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}, {Redacted} SG. 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} SG | COVID-19 Homelessness (Temporary) | COSLA

Verity House | 19 Haymarket Yards | Edinburgh EH12 5BH | {Redacted} |
www.cosla.gov.uk

Our Business Address is : COSLA, Verity House, 19 Haymarket Yards, Edinburgh, EH12 5BH. {Redacted}

Annex

Housing Sector Tenant Support Toolkit

Lead Contacts: {Redacted} (COSLA); {Redacted}(PHS); {Redacted} (SG)

1. What is it?

The tenant support toolkit is aimed as a resource for landlords across the housing sector (PRS, RSL and LA). Acknowledging the different levels of expectations on landlords the guidance will also be accessible for tenants (which will be written in 'Plain English' and which will be easy to understand). The guidance will;

- Highlight the role of all landlords to support and enable tenants to sustain their tenancy throughout the pandemic
- Highlight how support is currently being delivered
- Outline tenant rights.
- Signpost on to relevant support and funding available.
- Provide case study examples of innovation across the sector in supporting tenants during this time across different tenures.

2. Proposed scope (not exhaustive- additions welcome):

1. How data sharing is currently being managed in terms of shielded and vulnerable groups – key contacts nationally/locally if landlords think tenants will need support and how to find out if tenants are in need of support or classified as shielded/vulnerable.
2. Local and national programmes for linking up tenants with local support networks e.g. food drops/prescriptions - explain that this is happening through the Resilience Partnerships/Humanitarian Centres/third sector funded via the £350m Strengthening Communities Funding/ SCVO Community Assistance Directory
3. How to support tenants avoid homelessness – Rent arrears, welfare advice, responding to anti-social behaviours, money management, digital inclusion, utility security
4. How to support tenants with mental health and wellbeing
5. How to support those at risk of/experiencing domestic abuse

3. The below table is to assist in mapping examples of what is currently being delivered, local solutions and innovations in supporting tenants.

Please add in examples and links to relevant information below.

Theme	Examples of current practice/potential case studies	Links to further information or COVID specific guidance
1. Work to support shielded and vulnerable tenants		
2. Linking tenants to local support networks		
3. Support to avoid homelessness:		
Rent arrears		
Welfare Advice		
Managing/ responding to / supporting perpetrators/ victims? Anti-Social Behaviour		
Financial management advice e.g. about fuel poverty		
Digital Inclusion		
4. Supporting tenants with mental health/wellbeing:		
Coping with anxiety		
Social isolation and loneliness		
Linking tenants with mental health support and services		
Support for bereavement		
5. Supporting tenants at risk of or experiencing domestic abuse.		
6. Other		
7. Repairs		
8. Anti-social behaviour		

4. Questions

Q1. Are the examples of support provision weighted towards social landlords?

Q2. Should there be columns for LA, RSL and PRS, so to identify which tenure the example of support relates to?

Q3. The table in section 3 includes aspects under the heading of 'avoiding homelessness'. Is this heading suitable or should it be removed because the aspects under it may be broader than homelessness prevention e.g. digital inclusion?

Q4. Do we need a definition of what's meant by digital inclusion, and does this refer to supporting tenants with getting online, supporting them with digital skills, overcoming barriers to digital access/ use for older and disabled people, overcoming affordability of digital provision e.g. laptops, broadband?

Q5. Should the table include asking landlords how they support communication with tenants without using digital means e.g. do they phone tenants who are unlikely to use digital communication?

Q6. Do we need to state that this toolkit is for housing landlords supporting their existing tenants? I say this because 'preventing homelessness' or 'preventing domestic abuse' could be read as support both to existing tenants but also the wider community e.g. allocating a void to somebody who is known to be experiencing domestic abuse who is an applicant and isn't currently the landlord's tenant

Housing Sector Recovery Framework

Emerging Process and Proposals for Key Areas of Restarting Activity

27 May 2020

Overview

Key elements of a national decision making process are emerging in Scotland to inform the decisions required as we set the path out of lockdown and back to functionality.

To ensure the housing sector is best placed to provide the required information at the right time to Ministers on how and when to restart key activities, it is proposed to develop a Housing Sector Recovery Framework.

To align the work already emerging from the partnership between SG and 3 housing sector resilience groups it is proposed to agree **principles, development structures** and **decision making processes** aligned with the emerging national process.

As a live situation, it will be important to ensure the work on the Housing Sector Recovery Framework remains flexible and alive to changes and developments at Scottish and UK level – as such this document will be kept under review.

The remainder of this document sets out a suggested PROCESS and an initial set of PROPOSALS to progress through this process. It is for discussion and comments with the range of partners involved in this work.

Process Principles

Based on the Framework for Decision Making we propose the following principles to guide this work:-

- 1. Suppress the spread of the virus** – suggested changes should introduce minimal risk of increasing R
- 2. Minimise wider harms** – suggested changes should allow a reduction in the social, financial harms – as well as covid and noncovid health harms where applicable – associated with the current lockdown position

Proposed restart measures would be assessed against these two principles as in the table below:-

Distancing Measure	Estimate of effect of change on R	Harm 1 Impact on health of COVID-19 infection	Harm 2 Non-COVID health impacts	Harm 3 Impacts on society and communities	Harm 4 Economic impacts
A	e.g. Minimal if high compliance. If low compliance $R > 1$				
B	e.g. Hard to model – very dependent on behaviour				
C	e.g. $R > 1$ as transmission will happen often				

In addition restart measures would be assessed against the following two principles:-

- 3. Build back better** - where there are opportunities to improve outcomes for certain groups - including people effected by homelessness and victims of domestic abuse – our actions should support these improvement
- 4. Get the balance right** – proposals should balance a consistent approach with sufficient space for local decision making and innovation; continuing to support place based approaches

Process

Development Structures

4 Housing Sector Resilience Groups, established following the outbreak, now form a structure in which partners across the housing system can work together to develop recommendations and proposals for exit from lockdown. Their membership is set out below, Scottish Government officials are included in each.

The collective ASK of these groups as we enter the next phase of the situation is to:-

1. Advise Ministers on the path to restarting key activities of the Housing sector; and
2. Support implementation of agreed recommendations (through guidance; comms and issue management)

Local Authority Housing Resilience Group	COSLA; ALACHO; SOLACE; LA Heads of Housing representatives; Public Health Scotland; CIH; Scottish Government
Social Housing Resilience Group	SFHA; GWSF; SHR; CIH; Wheatley Group; Public Health Scotland; Scottish Government <i>ALACHO and COSLA participate as observers</i>
Private Rented Sector Resilience Group	Scottish Association of Landlords; Property Mark; Local Authority Representatives; Shelter; CAS; Scottish Government <i>ALACHO and COSLA participate as observers</i>
Social Housing Sector Financial Resilience Group	SFHA; SHR; RSL representatives; UK Finance; Scottish Government

Process

SG internal development process

In addition to the expert input from the 3 sector resilience groups, the Housing Sector Recovery Framework will benefit and be strengthened through input of the following resources within Scottish Government:-

- **Organisational Readiness “consultancy”** including Red Team approach
- **Ministerial consideration and scrutiny**
- **Cross government discussion and cross referencing of restart proposals** to consider interdependencies and connections with wider recovery planning e.g.
 - Developments in public health and working practice guidance
 - Any changes to overarching framework of legislation and regulation relating to the outbreak
 - Plans for pupils returning to school
 - Funding discussions

Process

Decision making

PHASE 1: Restart proposals would be developed by existing sub groups in collaboration with civil servants and would then be considered by the 3 Resilience Groups. These would cover the following:-

- **Priority areas of activity** for initial; early; medium and long term restart
- **Underpinning guidance** to inform restart setting out how this could be progressed in a way which supports the priority aims of suppression of the virus and minimising wider harms

PHASE 2: SG officials will liaise with internal colleagues to develop recommendations further wherever appropriate e.g. through organisational readiness input; making connections to other areas; adding additional supporting advice. SG officials will advise Resilience Groups of any changes made – bringing these back for discussion with the groups if necessary - then put these recommendations to Ministers.

PHASE 3: Subject to Ministers agreement to the proposed approach to restarting activity, SG officials will progress further work with the Resilience Groups to further develop guidance (if required); to cascade and communicate the position and proposed plan; to monitor the impact and consider any adjustments required; and to bring further advice to Ministers as required.

To ensure as smooth a process as possible, SG Officials will keep Ministers apprised throughout phases 1-3

Proposals

Proposed priority areas for restart DRAFT LIST

Restarting lettings of empty properties

These are the areas of housing services activity most fundamental to securing settled accommodation for homeless households; securing positive housing outcomes for victims of domestic abuse (particularly by rehousing the perpetrator and by allowing women and children to move on from refuge accommodation, freeing up spaces for others in need)..

Housing Support; Financial support

These services can be carried out without face to face contact and are critical to the prevention of homelessness, and to supporting people who have been effected by homelessness to maintain a new tenancy

New models of care and support

Housing support and care are vital to tenants and need to be reconfigured to adapt to the new context.

Home building

A continued supply of new affordable and social housing is crucial to the housing system, rent affordability and the prevention of homelessness. This is also an important part of Scotland's economy.

Proposals

Next steps

1. **Agree the areas of activity to be considered through the framework**
2. **Set out the extent to which each area of activity can be reconfigured to be made available with minimal or no face to face interaction, and by people working from home (including being clear where this is not possible for a service)**
3. **For each area of activity determine:-**
 - **Scale (how many people involved – tenants and staff)**
 - **Reach (very specialist or helpful to many)**
 - **Negative impacts currently being experienced (evidenced as far as possible)**
 - **Assess impact of each proposed area of restart on R number / transmission and on wider impacts**
4. **Determine for each area whether necessary guidance is already in place; needs revisited or additional guidance is required**
5. **Discuss and agree approach across 3 x resilience groups**
6. **Progress to Organisational Resilience and cross government input and testing**
7. **Consideration and scrutiny by Ministers**
8. **Next steps agreed**
9. **3 x Resilience Groups discuss next steps and implementation**

From: {Redacted}
Sent: 16 June 2020 14:04
To: {Redacted} (Team Manager / Housing Strategy & CS) {Redacted}
Cc: {Redacted}

Subject: RE: PRS Resilience group

That's great {Redacted}, it will be really good to have you on-board.

The attached email is last week's papers and agenda, just to give an idea of the things the group are discussing at the moment.

I've cc'd in {Redacted}, who heads up our team, and {Redacted} who will add you to the recurring meeting invite (you'll have heard from our {Redacted} before, before all this she was just about to bring in the legislation about minimum energy standards in the PRS).

Shout out if you have any queries, catch up soon,

{Redacted}
Better Homes Division | Sustainability Strategy Unit | 2-H North, Victoria Quay,
Edinburgh, EH6 6QQ | {Redacted}

From: {Redacted} (Team Manager / Housing Strategy & CS) {Redacted}
Sent: 16 June 2020 13:57
To: {Redacted}

Subject: RE: PRS Resilience group

Hi {Redacted}

Thank you for your email and the invite which I would like to accept.

I would be grateful if you could send the papers and agenda from your previous meeting and send me a calendar invitation.

I look forward to working with you again.

Kind regards.
{Redacted}

[Team Manager \(Private Sector Housing\)](#)

.....
Housing Strategy & Corporate Sustainability
North Ayrshire Council,
3rd Floor East,
Irvine,
KA12 8EE {Redacted}
Email: {Redacted}

North Ayrshire Council Housing Services Private Sector Team are the Scottish Empty Homes Champions of the Year 2019 in the "Outstanding Service" Category



Were you satisfied with the service you received from the Private Sector Advice Team? Please complete our short [Customer Satisfaction Survey](#). Your feedback is really important to us.



From: {Redacted}
Sent: 16 June 2020 11:43
To: {Redacted} (Team Manager / Housing Strategy & CS) {Redacted}
Subject: PRS Resilience group

*** This email is from an EXTERNAL source. Please be cautious and evaluate before you click on links, open attachments, or provide credentials. ***

Hi {Redacted},

Hope you are well.

Aside from the work undertaken to provide immediate support during the height of Covid-19, a PRS Resilience group was established to look at the challenges and issues facing the sector both now, and going forward.

This group meets once a fortnight and is made up of the following stakeholders:

- Scottish Government
- Shelter Scotland
- Citizens Advice Scotland
- Public Health Scotland
- Scottish Association of Landlords
- Propertymark
- COSLA
- The Association of Local Authority Chief Housing Officers
- Glasgow City Council *

- Dundee City Council *

* LA participants are {Redacted} (GCC), {Redacted} (DCC)

This group sits a little higher than landlord reg / takes a wider outlook, and a key aim, as we move out of the immediate Covid-19 emergency response, is to try and forge better links across all housing tenures.

We wonder if the group could be enhanced by bringing on board another LA with a more rural and islands area and if you / North Ayrshire would like to join the group?

There's some great people out there in landlord reg. although as highlighted earlier this is a wider looking group, I think it would be ideal to have you join.

The group meets virtually (dial-in / Skype) every second Monday from 14.00 to 1530, next meeting is 22/6.

What do you think? Happy to chat if that would help, I can also send you the papers / agenda from last week's meeting, let you have a flavour.

Catch up soon,

{Redacted}

Better Homes Division | Sustainability Strategy Unit | 2-H North, Victoria Quay,
Edinburgh, EH6 6QQ | {Redacted}

Pre-Action Protocols – Draft for Discussion

Draft Action	Commentary
<p>1. The landlord must provide the tenant with clear information about-</p> <p>(a) the terms of the tenancy agreement,</p> <p>(b) outstanding rent and any other outstanding financial obligation of the tenancy, and</p> <p>(c) relevant information on their rights as a tenant in relation to the eviction process, including the pre-action protocol requirements</p>	<ul style="list-style-type: none"> • Ensure tenant has access to the terms of tenancy • Outlines for tenants what is due • Outlines any charges that will be due if money is not paid <p>‘Other financial obligations of the tenancy’ means all financial commitments in the tenant’s tenancy agreement apart from rent. They may, for example, include service charges or payments towards insurance.</p> <p>In relation to (c), it is anticipated that this will be met by providing the tenant with information from the Scottish Government (either existing guidance or developed to support the pre-action requirements).</p>
<p>2. The landlord must make reasonable efforts to agree with the tenant a reasonable plan for future payments to the landlord, such plan to include proposals in respect of-</p> <p>(a) future payments of rent, and</p> <p>(b) outstanding rent and any other outstanding financial obligation of the tenancy.</p>	<ul style="list-style-type: none"> • Ensures the landlord engages with the tenant to seek agreement on repayment • Engagement between the landlord and tenant is more likely to result in a realistic payment plan. • Tenant has option of seeking advice to support discussions with landlord or to help them develop their own proposal • The landlord must provide the tenant with a copy of plan agreed to ensure a common understanding for both parties
<p>3. The landlord must give reasonable consideration to -</p> <p>(a) steps being taken by the tenant which are likely to result in the payment to the landlord within a reasonable time of-</p> <p>(i) the outstanding rent, and</p> <p>(ii) any other outstanding financial obligation of the tenancy, or</p> <p>(b) compliance by the tenant with the terms of a plan agreed to in accordance with subsection (2).</p>	<ul style="list-style-type: none"> • Ensures the landlord takes account of any efforts being made by the tenant to repay arrears before proceeding

**PRS RESILIENCE GROUP
ACTION LOG**

Action	Raised By	Date	Leading	Progress/Update	RAG Status
1. Clarification on the approach being taken by Sheriff Officer for current cases where an eviction order has been granted.	Shelter CAS	Meeting One	SG	Response from Society of Messengers at Arms issued to group advising of latest position.	Complete
2. Highlight to UK Gov. the need to make clear who their landlord guidance comms relate to i.e. only landlords in England and Wales etc.	SAL	Meeting One	SG	Issue raised with UK Government at MHCLG. Efforts being made to ensure information indicates clearly where it applies to England only. Further contacts provided to follow up with other relevant UK Government departments e.g. in relation to Right to Rent - action ongoing where it applies to England only. Regular catch-up with MHCLG colleagues established to share information and inform response.	Complete

3. Further clarity on inspections required for landlords and local authorities.	SAL	Meeting One	SG	Online guidance updated, Minister has written to UK Govt., (HSE issued update last week).	Complete
4. Consideration of further letter on lenders being inflexible regarding mortgage breaks for landlords.	SAL	Meeting One	SG	UK Finance addressed this point during their update at meeting two of the PRS Resilience Group.	Complete
5. Contact all local authorities (via SHMONG) to request they advise on approach to HMO licensing and to highlight approach in Glasgow.	SG	Meeting One	SG	Having taken legal advice, the SG position is that local authorities have powers to extend HMO licences beyond 3 years by varying the licence.	Completed
6. Further consideration of council tax relief for empty properties.	SAL	Meeting One	SG	Was reported at meeting 3 that some councils in England were writing off Council Tax in England but that this is not happening in Scotland. Reported at meeting 4 that CT support is available for landlords of unfurnished properties for 6 months. Update provided to the group on current position, and changes to council tax resulting from amendments in the Coronavirus (Scotland) (No.2) Bill.	Complete

7. Further consideration of financial support for tenants before UC kicks in.	Shelter CAS	Meeting One	SG	SG has written to UK Govt. regarding flexibilities but repayments of advance can now be spread over 24 months.	Completed
8. Investigate TDS approach to releasing deposits to cover rent payment issues.	SAL	Meeting One	SG	The current approach sets out that a landlord can claim a deduction for any unpaid rent from their tenant's deposit, as long as this is specified in the tenancy agreement. If the tenant disagrees with the landlords calculation of rent arrears they can refer it to the tenancy deposit schemes adjudication service.	Completed
9. Engage with Police Scotland to highlight the need for officers to be aware of illegal evictions law.	Shelter CAS	Meeting One	SG	<p>Police Scotland have confirmed that the provisions within the emergency bill have been highlighted to local policing through Operation Talla.</p> <p>We are awaiting formal confirmation if there have been any incidents/occurrences relating to the change in legislation but an initial informal review suggests that there have been no landlords charged with any offences.</p>	Ongoing

10. Consider communicating using Tenant Deposit Scheme channels.	All	Meeting Two	SG	All 3 schemes have previously been extremely supportive and helpful in issuing information on behalf of the SG. Has now been used as a channel for some comms.	Complete
11. SG to investigate online model tenancy downloads / online version is up to date and are fully legal	Propertymark	Meeting Two	SG	Response issued directly, all forms. Changes made to all forms by Coronavirus (Scotland) Act 2020 are legally compliant.	Complete

Issue	Raised By	Date	Leading	Update/Action	
12. Concerned with the numbers of Landlord registrations, noticed large drop already in April. SG to do analysis.	Glasgow City Council	Meeting Two Updated at meeting 5	SG/LAs	Landlord registrations are down in March and April from previous years. Could mean that landlords are not registering while a property is void or have left the market.	Ongoing
13. More Guidance for Tenants needed	CAS	Meeting three	SG	SG to draft additional communications for comment. PRS Recovery and Strategy Team are engaging with Public Health Scotland in relation to a tenant support toolkit under development.	Ongoing

Issue	Raised By	Date	Leading	Update/Action	
14. Difference in interpretation of retail definition for claiming of domestic rate relief between England and Scotland.	SAL	Meeting three	SG	Advice issued by SG Local Taxation Policy and Business Rates Team.	Ongoing
15. Tenants need support in accessing Discretionary Housing Payments and quicker turnaround of claims.	Shelter	Meeting three	SG	Meeting 4 update: Update provided to the group. While local authorities are responsible for Discretionary Housing Payments (DHP) Scottish Government policy team will provide support where necessary due to increased demand.	Complete – sharing information on issues related to DHP and Welfare Fund to be ongoing.
16. Further discussions to take place between SG and other interested parties over the next steps towards revised guidance when overall Covid-19 guidelines change.	SG	Meeting three, updated at meeting 5	SG	SG to continue to make links with other working groups on developing guidance as overall Covid -19 guidelines change.	Ongoing
17. Some landlords with more than five properties are having problems with rent payments and cannot access help.	SAL	Meeting four	SG	SG to pass address for PRS loan mailbox to SAL. Landlords with concerns can contact SG, allows SG to build a better picture of gaps in support. PRSLandlordCovid-19Loan@gov.scot	Complete SG now receiving information and queries from landlords with more than 5 properties. Collating

Issue	Raised By	Date	Leading	Update/Action	
					information and offering advice where possible.
18. Landlords are concerned about arrears rising when furlough ends. Empty properties are becoming more of a concern for landlords.	SAL	Meeting four	SG	SG and SAL to track changes on empty properties and arrears over the coming months. Home Moves in Scotland Restart and Recovery working group established to consider issues and develop guidance.	Ongoing
19. How the Coronavirus Act impacts on areas such as HMO licensing.	SG	Meeting four	SG	SG to circulate note with more detail on the Coronavirus Act to the group. Any additional issues to be picked up from meeting 6.	Ongoing
20. How to raise awareness amongst tenants on their rights re landlord harassment	CAS	Meeting four	CAS/COSLA	CAS will feed into COSLA toolkit for tenant support (see 24)	Complete
21. Letting agent putting pressure on new tenants to sign agreement to pay re advertising costs if they end tenancy early.	Dundee City Council	Meeting four	Dundee/SG	Dundee will pass concerns about letting agent to SG letting agents team. (Shelter will share information with Dundee). This has now been passed to SG for investigation.	Complete SG will respond to concerns from Dundee
22. SAL raised concerns about lack of response from some local authorities to offers of housing from PRS landlords.	SAL	Meeting four	SG/COSLA	Further discussion proposed bringing together third sector groups like CAS and Shelter, SG resilience groups and local authorities.	Ongoing

Issue	Raised By	Date	Leading	Update/Action	
				The PRS Recovery and Strategy Team will take forward discussions with homelessness colleagues on how we can make better links and feed into discussion on homelessness.	
23. Concerns that rent guarantee insurance may be invalidated by extension of the Coronavirus Act.	Propertymark	Meeting four	SG	<p>Rent guarantee insurance is a reserved issue. SG will discuss with the UK government and consider our approach.</p> <p>We note that Let Alliance have announced they are offering Rent Guarantee Insurance to letting agents with no Covid-19 restrictions.</p>	Ongoing
24. COSLA is developing a toolkit for tenant support. COSLA would welcome any input from members.	COSLA	Meeting four	COSLA	COSLA will contact members with particular asks for case studies etc. COSLA circulated a scoping document for comments by Friday 22/5	Complete COSLA has circulated the tenant support toolkit.
25. Changes to notice periods for students in university halls of residence and purpose built accommodation.	SG	Meeting 5	SG	Overview of the student notice periods within the Coronavirus (Scotland) (No.2) Act 2020 has	Complete

Issue	Raised By	Date	Leading	Update/Action	
				been issued to all members of the group.	
26. Find out more about the types of properties landlords are requesting loans for.	SAL	Meeting 5	SG	EST has looked into information on loan applications, for example on number of bedrooms and property type. The statistics will be shared with the Resilience Group during the update on the loan scheme.	Complete
27. Different approaches to HMO licensing across local authorities	Local authorities	Meeting 5	Glasgow	SG to ask that the approach in Glasgow is highlighted via the HMO Network.	Ongoing
28. Allowing people who need accommodation to move, for example construction workers returning to work.	SAL	Meeting 5	SG	Consider what is needed in guidance to help.	Ongoing
29. Presentation on the route out of crisis from Catriona MacKean	SG	Meeting 5	SG	Slides were circulated	Complete

HARSAG JUNE 2020 – FRAMING QUESTIONS

- What should we already be doing because we are in an emergency situation?
- What do we need to do quickly to ensure nobody returns to the streets?
- What should we be doing now to prevent homelessness happening in the first place?
- Are there other actions from the Scottish Government and COSLA plan '[Ending Homelessness Together](#)' that need to change to reflect the new circumstances?

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1. What needs to be being done already because we are still in an emergency situation

Continue to ensure access to safe TA

- ongoing ability to provide TA to all households who require it regardless of status, without requirement to present in person where at all possible (adapting Out of Hours models)
- effective triage of households in need of TA according to COVID-19 status, allowing those needing to self-isolate to do so and minimising infection risks of those with compromised health
- infection management processes and support staff to encourage social distancing in all TA of congregate type
- Scope out potential for other forms of temporary and permanent accommodation eg student accommodation

Support for those who need it

- assertive outreach strategy for those who leave TA during lockdown and return to rough sleeping
- contact with all homeless households, providing information on where to get support (and TA if needed) during lockdown
- full assessment of need, and Personal Housing Plans for everyone in hotel accommodation, allocation of worker (replicating and stepping up idea of the “by name list”)
- develop a strategy to ensure people experiencing domestic abuse or at risk of domestic abuse can urgently access housing advice and other support to prevent homelessness

Plan now to prioritise social housing voids to homeless households

- liaison with RSLs and LA housing teams re: priority allocation of social housing void backlog to people who are statutorily homeless and planning for any required tenancy support (allocating 75% of available social lets to homeless households would house 6,280 households and 100% would house 8,373 households)

Audit of current situation

- Point-in-time and local audit of people in temporary and unsuitable places – what do they need in housing/support terms, including on equalities basis (BAME including migrants, gender, age, disability)
- Point-in-time and local audit of available housing options and support capacity
- make use of both routine and emergency networks supporting households to gather insight and data on highest areas of homelessness risk locally and what is needed to prevent this

2. What needs to be done now because we are quickly moving out of the emergency situation and time is against us to stop people needing to return to the streets and to stop very large surge into the homelessness system

- agreement of onward funding for people in hotels where no other TA available, and ongoing messaging from Scottish Government that new presenters are to be accommodated regardless of status
- Ensure everyone has access to somewhere safe to stay regardless of immigration status
- rapidly develop options for people with no entitlement to HB, to rehouse those in TA and prevent new cases of rough sleeping including among people with no recourse to public funds

Ensure safe move on

- Revise RRTPs in light of COVID-19 impact
- Plan for gradual step-down in use of hotels and short-term lets, with funding in place to enable a safe transition
- agree enhanced funding for supporting move-on for enlarged number of households in system
- rapid upscaling of Housing First support capacity across Scotland to prevent return to rough sleeping of those “brought inside” who need and want this option
- rapid procurement of additional lets for Housing First from local landlords
- pin down input from Health and Social Care/NHS in supporting move on (they have been highlighted as positively involved in hotels work), including occupational health for adaptations where necessary
- Work with local private landlords to procure properties for settled accommodation and preventing homelessness, in light of increased LHA
- pre-allocating lets to people who are homeless and staying in hotels and also those who are homeless and in temporary accommodation
- Review what percentage of social lets should be going to homeless households and how long for
- Scope national procurement approach to support voids in social lets being furnished and repaired
- ensure people have access to digital technology to enable people to move on effectively and sustainably through digital access to information, advice and support

Learning and sharing practice

- rapid learning from the urgency of the COVID-19 response and the experiences of people affected and involved, including those under threat of homelessness
- Local equalities assessments of impact of COVID on housing / homelessness risk for particular groups, including BAME, gender, age, disability / pre-existing health conditions, including access to appropriate TA and settled housing options
- national learning/sharing of what's worked to prevent/rehouse in year one of RRTPs and practical resources for LAs to use now
- Benchmark against best practice on how quickly housing can be made available to ensure rapid housing access

Step up and target immediate prevention activity

- Develop prevention focus and targeted activity based on assessment of groups facing increased homelessness risks due to COVID19, such as young people, those facing income shortfalls, those facing relationship breakdown and survivors of domestic abuse, and assessment of impact on other at risk groups
- Establish early warning system, for example, for people in arrears, and offer help with access to support and tenancy sustainment

3. What needs to be started or continued very soon because it will prevent further rough sleeping and further homelessness

Rough sleeping and complex needs

- Strategy and partnership planning to avoid return to shelters this winter
- Upscaling Housing First to extend support to those with complex needs who are a) housed, but at risk of repeat homelessness b) currently in institutions including LA care (if you can predict it, prevent it) including pathway for women with complex needs, including those with children
- Stronger multiagency case management practices and protocols for people with complex needs and sharing of best practice
- rapid protocols with all institutions including NASS, on not discharging without managed housing pathway being put in place
- clarity that households who don't have or have lost full homelessness duty still need to be housed

Strengthen prevention focus

- Strengthen prevention activity drawing on best practice, including section 11s, social lettings agencies, youth housing protocols
- Testing and targeting homelessness prevention approaches across wider public services, including for those at risk of eviction due to rent arrears or income shortfalls and those experiencing or at risk of domestic abuse
- increase prevention fund monies (RSL/3rd sector?)
- National and local advice and information strategy on what to do if you risk homelessness/support someone at risk – addressing fact many households won't have ever been in this situation before,
- A proactive housing management approach focused on earlier intervention, with independent advice, information and advocacy for tenants
- All areas to develop a private rented sector access scheme and rent deposit guarantee scheme (requirement weakened in 2019 version of Code of Guidance)
- Continued investment in Discretionary Housing Payments and Scottish Welfare Fund to ensure tenants who need it are supported to pay their rent and living expenses
- Develop homelessness and housing pathways for those experiencing or at risk of domestic abuse, avoiding homelessness wherever possible and enabling survivors to remain in their home where this is their preferred option. These should draw on work of CIH / SWA working group and social landlord guidance and include strengthened social housing protocols, support for those in private rented and owner occupied sectors, work for private landlords and letting agents, domestic abuse awareness training for all LA housing staff, and ensure housing / homelessness represented at all relevant MARACs.

Extend emergency protections for tenants in PRS

- Strong and permanent pre-action protocol for tenants in PRS
- Alongside pre-action protocols, ensure access to dedicated money advice, welfare advice and housing rights support
- Greater protections through the tribunal for tenants facing evictions initiated prior to the pandemic, and an extension of the tribunal's emergency discretionary powers over eviction in social and private rentals from 6 months to 12 months

Strategic housing needs

- Scope out how we can maximise housing supply capacity eg buy back into social rented sector, mortgage to rent, identify alternative ways of financing more social housing and potential role for Scottish National Investment Bank
- identification of type/size of homes most needed in local area, using this to inform procurement options for homeless households

- “Flip” TA to permanent accommodation where household wants to stay
- develop strategies to acquire additional properties for social rental from private sectors for settled housing use
- Prioritise affordable housing supply programme as construction industry restarts
- Renewed government commitment to ambitious affordable housing supply with strong focus on social housing beyond 2021, targeted to areas of highest demand with properties of the size people need and with clear definition of affordable housing linked to household income
- Consider options for greater flexibility in PRS, including requiring insurance providers to allow tenants receiving benefits, and scheme to support selling of properties with sitting tenants
- A common framework for housing associations and local councils
- An assessment of the current model for setting social rents, as affordability will become a growing issue
- First Tier Tribunal (FTT) must produce more data, so that we can fully understand how it is working and if tenants are able to successfully assert their rights

Maximising housing options into the PRS

- partnership working with the PRS to help increase housing capacity and better prevent homelessness (take advantage of drop in market)
- ensure PRS access service in every LA, assistance and resourcing for capacity building with private landlords
- national funded rent deposit guarantee/bond scheme and help to rent support
- enhanced clarity over discharge of homelessness into the private sector
- integrate mid-market rent provision in to rapid rehousing planning

Migrant homelessness

- Prevent destitution by ensuring access to decent and safe accommodation and the practical and emotional support people need, regardless of immigration status
- A programme to support EU citizens to apply to the EU settlement scheme and ensure people who are homeless get enough support to apply and have access to advice, information and technology needed to make the application
- Support people who have no recourse to public funds and who are ready to work to access support to find employment and move-on accommodation in the private rented sector
- Ensure migrant homelessness addressed in all RRTPs to prevent homelessness and destitution for asylum seekers, EEA nationals and people with no recourse to public funds

National strategy

- Cross-department priority as Scottish Government and a 'lead professional' to join-up local health and social care responses

Asks of Westminster government in relation to migrant homelessness

- Temporary suspension of NRPF conditions for at least the next 12 months for people who have a NRPF restriction attached to their visa so they can access Universal Credit and homelessness assistance
- Temporary suspension of the habitual residence test so that EEA nationals can access benefits
- More clarity on what funds local authorities can use for people seeking or refused asylum
- Extend the suspension of evictions from asylum accommodation so no one is evicted into homelessness

Asks of Westminster government in relation to welfare

- Extend LHA uplift by ensuring the rates continue to cover the bottom third of rents after a year
- For the duration of the pandemic, suspend the benefit cap to ensure it does not unintentionally hinder the support given by the investment in LHA rates and the increase of the UC standard allowance
- Continue the suspension of sanctions to prevent people becoming homeless as a result of COVID-19
- End the 5-week wait for benefits to start

4. What needs to be done this year to accelerate the overall achievement of 'Ending Homelessness Together'**Rapid rehousing for all**

- add non statutory households into the RRTP process – make sure the stats and plans are fully inclusive
- More clarity on the exemptions of the extension to the Unsuitable Accommodation Order, including definitions of rapid access accommodation and shared accommodation to ensure no legal loopholes
- Explicit requirement for addressing Unsuitable TA Order in next round of RRTPs
- RRTPs to address those in night shelters, high levels of lost contacts and accommodation refusals and youth homelessness

- development of alternative non-institutionalised forms of TA both to provide range of options, and facilitate UAO – community hosting etc
- Develop strategy for balancing need to procure more TA and avoid B&B, to avoid surge of long-term TA, such as PSL, to detriment of PRS being used as settled accommodation
- Ensure temporary accommodation meets people’s needs and that people have choice and control over what temporary accommodation they accept
- Standards must be set for temporary accommodation as soon as possible

Prevention

- LA costings exercise which shows what will happen and what that will cost if accelerated action is not taken, as well as highlighting where the pressure points are nationally
- Acceleration of upstream prevention activity across local authorities, up to 6 months prior to homelessness (pre-empting new prevention duties and the work of the Prevention Review Group for “mandated set of activities”)
- Develop commitments and practice with all relevant public bodies to take steps to prevent homelessness, including asking about housing situation and acting by referral to local authority, expectation of preventing evictions or discharge into homelessness as far as possible
- Develop equivalent of Housing Contribution Statement to Health and Social Care Partnerships on what Health and Social Care Partnerships will contribute to local authority work to prevent and end homelessness (likely to pre-empt PRG work)
- Co-ordinated/shared multiagency approach to allocation of specialist accommodation (for example of specialist supported accommodation for mental health, learning disability, high risk offenders etc alongside Housing First)
- Share best practice among social landlords on minimising evictions, pre-empting work of Prevention Review Group (role for Regulator here?)
- Ensure prevention activity is prioritised by introducing legal duties on housing and wider public bodies to prevent homelessness based on the recommendations of the Prevention Review Group
- Acceleration of national public awareness campaign to reduce stigma and ensure early action by those at risk of homelessness, in line with Frameworks research

Housing supply

- development of range of affordable housing options and housing pathway for young people including options for flat sharing and other relevant options

National strategy and law

- Build the expectation of ending homelessness into the national performance framework for Scotland, with specific indicators to measure progress and explicit links related to government agendas, to help ensure cross sector working on homelessness
- Develop options for deliberate manipulation protections as alternative to intentionality provisions
- Work with LAs and sector to develop clear framework and timescale to remove local connection restrictions
- Review timescales and sequencing of EHT Action Plan to ensure LA progress and maximise benefit to homeless households
- Commitment beyond 2023 to action to end homelessness

Other (from Everyone Home plan)

- At a minimum, maintain level of benefits brought in during COVID-19, including discretionary benefits
- Increase access to digital technology and systems that reduce travel, bureaucracy and better assist people living and working with homelessness
- Better recognition for key workers
- Build on joint working during COVID-19 by reducing competitive culture and inefficiencies in the homelessness system

**PRS RESILIENCE GROUP
ACTION LOG**

Action	Raised By	Date	Leading	Progress/Update	RAG Status
1. Clarification on the approach being taken by Sheriff Officer for current cases where an eviction order has been granted.	Shelter CAS	Meeting One	SG	Response from Society of Messengers at Arms issued to group advising of latest position.	Complete
2. Highlight to UK Gov. the need to make clear who their landlord guidance comms relate to i.e. only landlords in England and Wales etc.	SAL	Meeting One	SG	Issue raised with UK Government at MHCLG. Efforts being made to ensure information indicates clearly where it applies to England only. Further contacts provided to follow up with other relevant UK Government departments e.g. in relation to Right to Rent - action ongoing where it applies to England only. Regular catch-up with MHCLG colleagues established to share information and inform response.	Complete

3. Further clarity on inspections required for landlords and local authorities.	SAL	Meeting One	SG	Online guidance updated, Minister has written to UK Govt., (HSE issued update last week).	Complete
4. Consideration of further letter on lenders being inflexible regarding mortgage breaks for landlords.	SAL	Meeting One	SG	UK Finance addressed this point during their update at meeting two of the PRS Resilience Group.	Complete
5. Contact all local authorities (via SHMONG) to request they advise on approach to HMO licensing and to highlight approach in Glasgow.	SG	Meeting One	SG	Having taken legal advice, the SG position is that local authorities have powers to extend HMO licences beyond 3 years by varying the licence.	Completed
6. Further consideration of council tax relief for empty properties.	SAL	Meeting One	SG	Was reported at meeting 3 that some councils in England were writing off Council Tax in England but that this is not happening in Scotland. Reported at meeting 4 that CT support is available for landlords of unfurnished properties for 6 months. Update provided to the group on current position, and changes to council tax resulting from amendments in the Coronavirus (Scotland) (No.2) Bill.	Complete

7. Further consideration of financial support for tenants before UC kicks in.	Shelter CAS	Meeting One	SG	SG has written to UK Govt. regarding flexibilities but repayments of advance can now be spread over 24 months.	Completed
8. Investigate TDS approach to releasing deposits to cover rent payment issues.	SAL	Meeting One	SG	The current approach sets out that a landlord can claim a deduction for any unpaid rent from their tenant's deposit, as long as this is specified in the tenancy agreement. If the tenant disagrees with the landlords calculation of rent arrears they can refer it to the tenancy deposit schemes adjudication service.	Completed
9. Engage with Police Scotland to highlight the need for officers to be aware of illegal evictions law.	Shelter CAS	Meeting One	SG	<p>Police Scotland have confirmed that the provisions within the emergency bill have been highlighted to local policing through Operation Talla.</p> <p>We are awaiting formal confirmation if there have been any incidents/occurrences relating to the change in legislation but an initial informal review suggests that there have been no landlords charged with any offences.</p>	Ongoing

10. Consider communicating using Tenant Deposit Scheme channels.	All	Meeting Two	SG	All 3 schemes have previously been extremely supportive and helpful in issuing information on behalf of the SG. Has now been used as a channel for some comms.	Complete
11. SG to investigate online model tenancy downloads / online version is up to date and are fully legal	Propertymark	Meeting Two	SG	Response issued directly, all forms. Changes made to all forms by Coronavirus (Scotland) Act 2020 are legally compliant.	Complete

Issue	Raised By	Date	Leading	Update/Action	
12. Concerned with the numbers of Landlord registrations, noticed large drop already in April. SG to do analysis.	Glasgow City Council	Meeting Two Updated at meeting 5	SG/LAs	Landlord registrations are down in March and April from previous years. Could mean that landlords are not registering while a property is void or have left the market.	Ongoing
13. More Guidance for Tenants needed	CAS	Meeting three	SG	SG to draft additional communications for comment. PRS Recovery and Strategy Team are engaging with Public Health Scotland in relation to a tenant support toolkit under development.	Ongoing

Issue	Raised By	Date	Leading	Update/Action	
14. Difference in interpretation of retail definition for claiming of domestic rate relief between England and Scotland.	SAL	Meeting three	SG	Advice issued by SG Local Taxation Policy and Business Rates Team.	Ongoing
15. Tenants need support in accessing Discretionary Housing Payments and quicker turnaround of claims.	Shelter	Meeting three	SG	Meeting 4 update: Update provided to the group. While local authorities are responsible for Discretionary Housing Payments (DHP) Scottish Government policy team will provide support where necessary due to increased demand.	Complete – sharing information on issues related to DHP and Welfare Fund to be ongoing.
16. Further discussions to take place between SG and other interested parties over the next steps towards revised guidance when overall Covid-19 guidelines change.	SG	Meeting three, updated at meeting 5	SG	SG to continue to make links with other working groups on developing guidance as overall Covid -19 guidelines change.	Ongoing
17. Some landlords with more than five properties are having problems with rent payments and cannot access help.	SAL	Meeting four	SG	SG to pass address for PRS loan mailbox to SAL. Landlords with concerns can contact SG, allows SG to build a better picture of gaps in support. PRSLandlordCovid-19Loan@gov.scot	Complete SG now receiving information and queries from landlords with more than 5 properties. Collating

Issue	Raised By	Date	Leading	Update/Action	
					information and offering advice where possible.
18. Landlords are concerned about arrears rising when furlough ends. Empty properties are becoming more of a concern for landlords.	SAL	Meeting four	SG	SG and SAL to track changes on empty properties and arrears over the coming months. Home Moves in Scotland Restart and Recovery working group established to consider issues and develop guidance.	Ongoing
19. How the Coronavirus Act impacts on areas such as HMO licensing.	SG	Meeting four	SG	SG to circulate note with more detail on the Coronavirus Act to the group. Any additional issues to be picked up from meeting 6.	Ongoing
20. How to raise awareness amongst tenants on their rights re landlord harassment	CAS	Meeting four	CAS/COSLA	CAS will feed into COSLA toolkit for tenant support (see 24)	Complete
21. Letting agent putting pressure on new tenants to sign agreement to pay re advertising costs if they end tenancy early.	Dundee City Council	Meeting four	Dundee/SG	Dundee will pass concerns about letting agent to SG letting agents team. (Shelter will share information with Dundee). This has now been passed to SG for investigation.	Complete SG will respond to concerns from Dundee
22. SAL raised concerns about lack of response from some local authorities to offers of housing from PRS landlords.	SAL	Meeting four	SG/COSLA	Further discussion proposed bringing together third sector groups like CAS and Shelter, SG resilience groups and local authorities.	Ongoing

Issue	Raised By	Date	Leading	Update/Action	
				The PRS Recovery and Strategy Team will take forward discussions with homelessness colleagues on how we can make better links and feed into discussion on homelessness.	
23. Concerns that rent guarantee insurance may be invalidated by extension of the Coronavirus Act.	Propertymark	Meeting four	SG	<p>Rent guarantee insurance is a reserved issue. SG will discuss with the UK government and consider our approach.</p> <p>We note that Let Alliance have announced they are offering Rent Guarantee Insurance to letting agents with no Covid-19 restrictions.</p>	Ongoing
24. COSLA is developing a toolkit for tenant support. COSLA would welcome any input from members.	COSLA	Meeting four	COSLA	COSLA will contact members with particular asks for case studies etc. COSLA circulated a scoping document for comments by Friday 22/5	Complete COSLA has circulated the tenant support toolkit.
25. Changes to notice periods for students in university halls of residence and purpose built accommodation.	SG	Meeting 5	SG	Overview of the student notice periods within the Coronavirus (Scotland) (No.2) Act 2020 has	Complete

Issue	Raised By	Date	Leading	Update/Action	
				been issued to all members of the group.	
26. Find out more about the types of properties landlords are requesting loans for.	SAL	Meeting 5	SG	EST has looked into information on loan applications, for example on number of bedrooms and property type. The statistics will be shared with the Resilience Group during the update on the loan scheme.	Complete
27. Different approaches to HMO licensing across local authorities	Local authorities	Meeting 5	Glasgow	SG to ask that the approach in Glasgow is highlighted via the HMO Network.	Ongoing
28. Allowing people who need accommodation to move, for example construction workers returning to work.	SAL	Meeting 5	SG	Consider what is needed in guidance to help.	Ongoing
29. Presentation on the route out of crisis from {Redacted}SG	SG	Meeting 5	SG	Slides were circulated	Complete

Agenda

PRS Resilience group Meeting 6

10 June 2020

1. Welcome from the Chair and introductions
2. Note of previous meeting and action log
3. Public Health Scotland Toolkit for Tenants
4. Consideration of the emerging proposals from HARSAG
5. Private Landlord Pre-Action Protocols
6. Key information for tenants
7. Future meetings.