[redacted: s.30(b)(i)]

redacted: s.30(b)(i)]

[s.30(b)(i)] These modifications are due to end in March 2025.[redacted: s.30(b)(i)]

[redacted: s.30(b)(i)]

[redacted: s.30(b)(i)]

1. [redacted: s.30(b)(i)]

Latest Data on Rental Growth: 2023 to 2024

- **Average monthly rents grew for all property sizes in year to end Sept 2024:**
  - +9.6% or +£62 for 1-bedroom properties, reaching £710 per month.
  - +6.2% or +£52 for 2-bedroom properties, reaching £893 per month.
  - +10.7% or +£110 for 3-bedroom properties, reaching £1,136 per month.
  - +8.3% or +£137 for 4-bedroom properties, reaching £1,793 per month.
  - +8.3% or +£41 for 1 bedroom shared properties, reaching £530 per month.
- **Average inflation in year to end September 2024 was 3.0%.** This means advertised rents for all property sizes increased by more than double inflation. In the case of 3 bed properties rents increased by more than 3.5x as much as inflation.
- **Seventeen out of eighteen Broad Rental Market Areas (BRMAs) had average rent increases higher than inflation for 2-bedroom properties.** This was similarly seen for other bedroom sizes – the vast majority of BRMAs seen rent increases above inflation for all bedroom sizes. The notable outlier was Greater Glasgow where rent growth was lower than inflation for all bedroom sizes and rents fell for two bedroom (-2.4%) and three bedroom properties (-1.5%) – this followed high increases for Greater Glasgow in the previous year where 2 bedroom rents rose by an average of 22.3%. The first table in Annex A is a colour coded table showing rent changes between 2023 and 2024 for all BRMAs by bedroom size against inflation.
- **The latest earnings data shows gross median earnings for full time employees increased by 4.3% in year to end April 2024.** This was higher than inflation over the same period. Given the high increases in rent seen in year to end September 2023, it is very likely rent growth exceeded earnings for all bedroom sizes during the April 2023 to April 2024 period.

Sources: PRS Statistics 2024 (link), Annual Survey of Hours and Earnings; 2024 (link)

Longer Terms Changes in Rent: 2017 to 2024

- **Rental Growth has been higher in recent years compared to longer term trends.** Scottish rental growth has been between 6% and 15% over the last three years, varying my number of bedrooms. Whilst there was variation in the between 2017 and 2021, particularly by number of bedrooms (4 bedroom growth being the outlier with higher growth), rental growth generally averaged around 2% per annum. The table below this text shows average growth in rents and CPI split by the period 2017 to 2022, 2022 to 2024 and 2017 to 2024. The bar chart below this

text illustrates rents growth, CPI and earnings for full time workers by year and by number of bedrooms.. The line chart below this text shows an index of rent changes and inflation since 2017. This index let's you compare relative changes in values for different measures, such as comparing rent growth to inflation - inflation is shown by the orange line. The large uplift in annual rents growth can be seen from 2022 onwards in all of these diagrams. The 2017 to 2024 time period was selected to improve readability of charts. Similar comparisons in rental growth and inflation are found if the period is extended to be 2010 to 2024. Average earnings growth was slightly lower over the 2010 to 2021 period at 2.2%.

- **Rental Growth largely tracked inflation from 2017 to 2022. In the most recent years (2022 onwards) rent growth has been generally higher than average CPI inflation.** The bar chart below demonstrates there was annual variation between the inflation (green bar) and rental growth, depending on the number of bedrooms. However as the table shows, between 2017 and 2021 inflation was on average similar to rental growth, with inflation being within 0.3 percentage points for all bedrooms except 4 bedrooms. The line chart presents a similar picture. As many of the lines are closely grouped together, this indicates rent growth tracked inflation over much of 2017 to 2022. This started to diverge in 2022 where rents generally grew by more than inflation. 4 Bedroom properties (green line) are a stand-out difference to other properties – seeing much higher growth over the 2017 to 2024 period. 1 Bedroom-shared properties (dark blue line) were also generally higher throughout the 2017 to 2024 and 3 bedroom properties (light blue line) sharply diverged away from inflation after 2022.

  Earnings growth was on average 3% between 2017 to 2021 which was generally higher than rental growth – only 4 bedroom rental growth was higher (4.3%) during this period. Between 2022 and 2024, earnings growth has been closer to inflation (6.1% earnings growth, 6.5% inflation). As with inflation, earnings growth since 2022 has been below average rental growth for all number of bedrooms. Over the entire 2017 to 2024 period rents growth exceeded both CPI and earnings growth – this result has been driven by the higher growth in rents over the last two years. It is notable that earnings growth exceeded inflation in the last two years. This could suggest improved life affordability since the 2022 cost of living crisis.

- **6 BRMAs saw average rent increases above the rate of inflation between 2010 and 2024 (50.0%) for all property sizes.** These were Dundee and Angus, East Dunbartonshire, Fife, Forth Valley, Greater Glasgow and Lothian. Glasgow and Lothian in particular saw large increases above the rate of inflation, ranging from +74% to 108%. Every BRMA has at least one property size where the increases in average rents have exceeded the rate of inflation between 2010 and 2024 (50.0%). 4 bedroom property rents changes most commonly exceeded the 2010 and 2024 inflation rate (50.0%); only West Dunbartonshire's (+48.6%) was lower. The second table in Annex A is a colour coded table showing rent changes between 2010 and 2024 for all BRMAs by bedroom size against inflation.

Table 1.

Number of Bedrooms	Average Growth 2017 to 2021	Average Growth 2022 to 2024	Average Growth 2017 to 2024
1 Bedroom	1.6%	9.2%	4.5%
2 Bedroom	1.9%	8.9%	4.5%
3 Bedroom	1.7%	10.5%	5.0%
4 Bedroom	4.3%	9.7%	6.3%
1 Bedroom Shared	2.2%	10.1%	5.2%
CPI	1.9%	6.5%	3.6%
Earnings	3.0%	6.1%	4.1%

Chart 1.

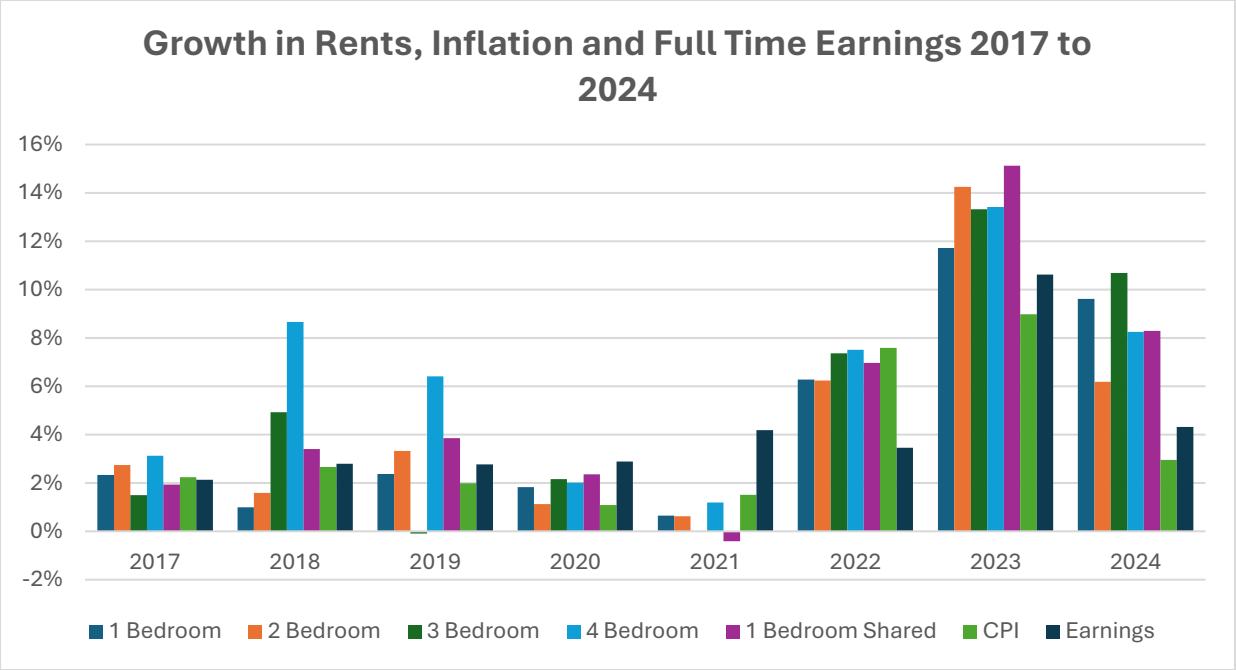
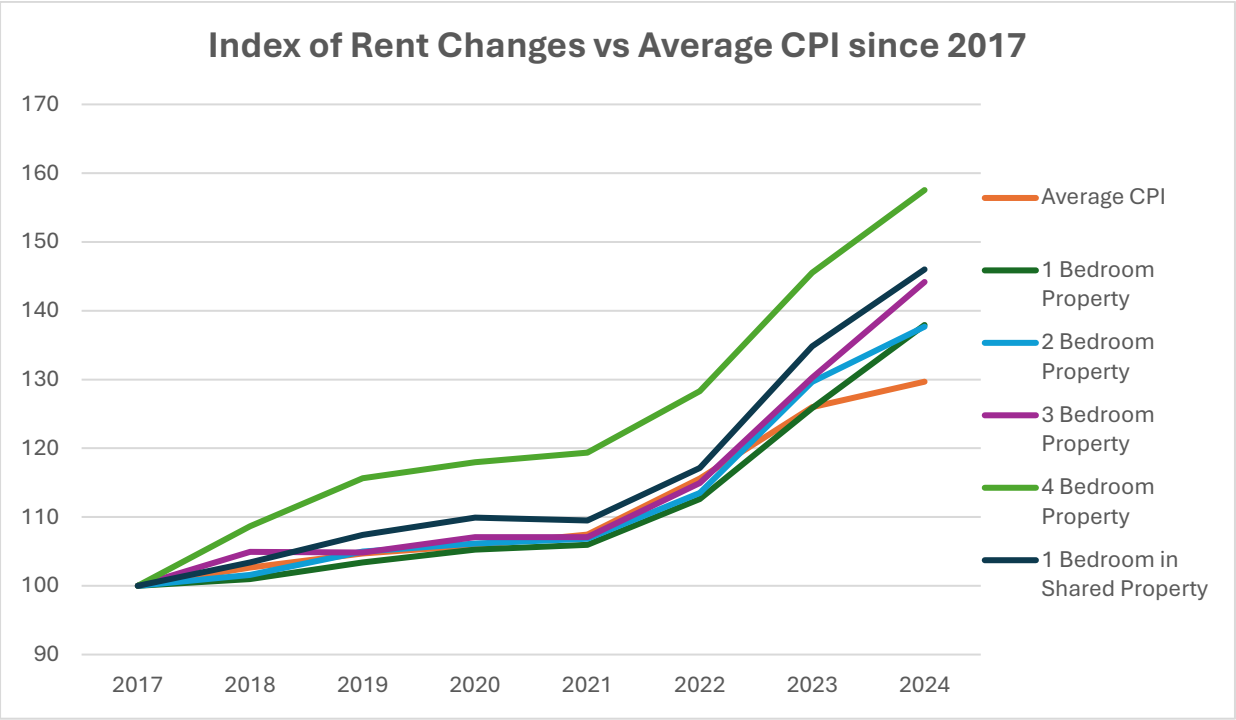


Chart 2.



*Sources: PRS Statistics 2024 (link), ASHE 2024 (link)***Social Research on Renters**

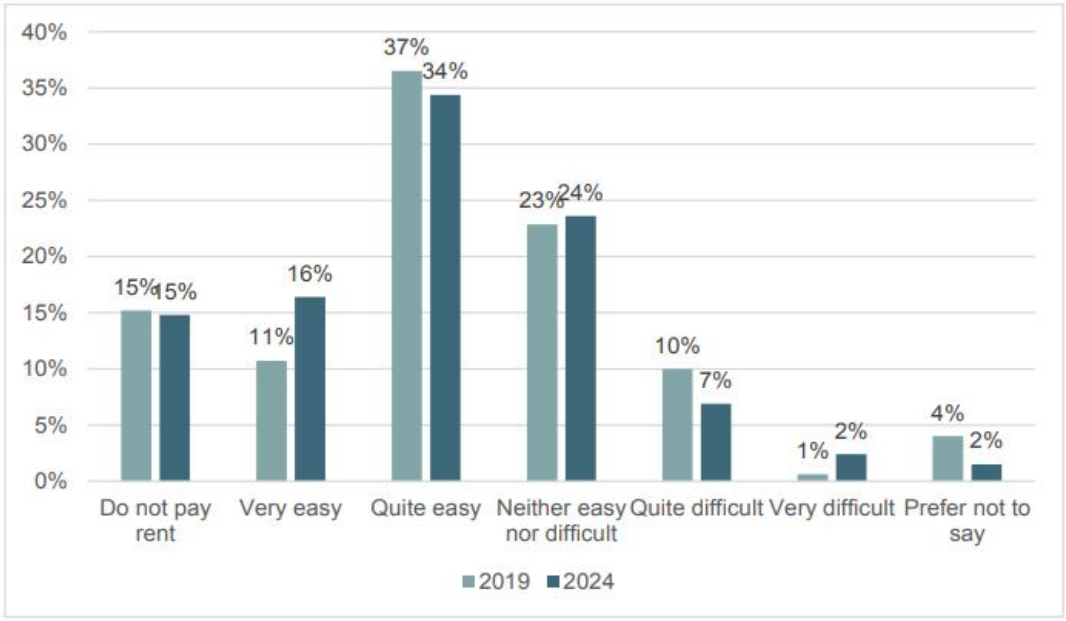
- **Recent YouGov polling shows a similar proportion of private renters face financial challenges as they did last year.** YouGov's Public Insight Monitor in September 2024 found 33% of rents said they were either not managing very well, having some financial difficulties or were in deep financial trouble. This compares to 31% in September 2023. By comparison 18% of those who owned their own home said they faced financial challenges in September 2024 (17% in September 2023).
- **YouGov polling found 27% of tenants had concerns about paying private rent over the next 2-3 months in March 2024.** This compares to 22% in March 2023. This further compares to 11% and 12% of those with a mortgage expressing concerns about payment in March 2023 and 2024 respectively.
- **The RentBetter project found a similar proportion of private renters in their study faced difficulties in paying rent in 2024 compared to 2019.** 11% of those surveyed in 2019 said they found it quite difficult or very difficult to pay rent. This compares to 9% in 2024. The chart below illustrates these findings. Their findings also showed there was a change in the type of household who struggled with rent affordability. Previously in 2019 those struggling to pay rent were more likely to be found in low SIMD areas. In 2024 they found those struggling to pay rent were more evenly distributed across SIMD scores. However, CAD analysts have not seen the underlying raw data to be able to verify the fullness of this conclusion in 2024.

Chart 3.

RentBetter Research Programme
Wave 3 Tenants Survey Report

RentBetter

Figure 19: Views on how easy or difficult it is to afford the rent



Sources: YouGov Public Attitudes Data Tables (link), RentBetter 2024 (link)

[redacted: s.30(b)(i)]

- [redacted: s.30(b)(i)]
- [redacted: s.30(b)(i)]
- [redacted: s.30(b)(i)]

[redacted: s.30(b)(i)]

2. [redacted – out of scope]
3. [redacted – out of scope]

[redacted: s.30(b)(i)]

4. [redacted – out of scope]
5. [redacted – out of scope]

[redacted: s.30(b)(i)]

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Stakeholder meeting – Living Rent – Tuesday 28 January @ 15:30

1. In Attendance – [redacted: s.38(1)(b)]

2. The temporary changes to Rent Adjudication introduced through The Rent Adjudication (Temporary Modifications) (Scotland) Regulations 2024 to support the smooth transition out of the Cost of Living (COL) Act, will expire on 31 March 2025.

3. Living Rent indicated their disappointment that there had been no engagement on expiry of the 2024 regulations until it was confirmed at a meeting between stakeholders and SG as part of preparing for the launch of the Renters Rights campaign.

4. Living Rent highlighted that there was an option for the temporary legislation to be extended for another year and stated the SG should use the powers in the COL Act to extend the temporary measures for a further year.

5. Living Rent have contacted Minister for Housing, Paul McLennan MSP, to discuss their concerns about the expiry. They strongly emphasised that allowing the measures to expire, is irresponsible, out of line with everything that has gone before it to protect tenants; and an absurd approach given the declared housing emergency.

6. They also raised the following further concerns:

i. The legislation under the 2016 Act has not been rectified and reverting to these measures can allow the rent to be set higher than the amount suggested by the landlord when a case goes to review.
ii. There is nothing else in place to protect tenants from excessive rent increases until the rent control measures outlined in the Housing (Scotland) Bill are in place which will cause an increase in evictions and poverty for tenants in the sector.
iii. Moderate changes to the temporary measures could have been made and then phased out over the following year and tweaked over time.
iv. There was no prior discission at the PRS stakeholder meeting on expiry of the measures and need for an extension.
v. Living Rent will not feel confident about recommending the rent adjudication service from 1 April 2025 when the COL Act measures expire. To date they have supported around 300 tenants to seek a review of a rent increase over the last year.

vi. Living Rent stated they are not going to support the Renters Rights campaign given the current issues outlined.

7. SG thanked Living Rent for their frank input regarding the expiry of the temporary measures and provided responses below to the concerns raised:

i. The legislation outlined in the COL Act was time-limited and not able to make longer-term changes in relation to rent increases.
ii. The temporary nature of the legislation means that the Act is not able to provide a system of rent control until the longer-term measures were in place.
iii. The change to rent adjudication was temporary and in place to support the move away from the temporary rent cap, managing the risk of very steep increases in rents following the ending of the COL Act by preventing a return to market rent in a single step where a tenant sought a review. iv. We acknowledge concerns about the potential for a rent to be set higher than that proposed by the landlord, however, in practice prior to the commencement of the COL Act there was only one case where the rent was above what the landlord had asked for.
v. Tenants can still ask for a review of their rent increase as it is within their rights to do so and tenants will be protected from rent increases above market rent.
vi. It would be unfortunate if tenants were discouraged to submit a review under the existing provision, particularly if they consider the rent increase is high.

Renters Rights marketing campaign

8. The Renters Rights marketing campaign is promoting existing rights for tenants and Rent Adjudication is a way to challenge excessive rent increases.

9. This should be a straightforward process for tenants and the SG are currently drafting an explainer for tenants which may assist them if they decide to review a rent increase.

10. SG understands the position of Living Rent and their decision not to support the campaign but the SG will still promote this as assisting tenants to understand their rights is a benefit.

11. SG asked Living Rent if they could share common issues that tenants have provided feedback on when using Rent Service Scotland but understood if this was not feasible at the current time.

Close

12. SG thanked Living Rent for raising their concerns and feedback at the meeting and advised the Ministerial private office would be in touch with them in due course.

[redacted: s.38(1)(b)]

February 2025

Meeting: Minister for Housing with Living rent

12 March 2025

Attendees

Paul McLennan, Minister for Housing
[redacted: s.38(1)(b)]

[redacted: s.38(1)(b)]

Meeting Note

1. The Minister welcomed Living Rent (LR) to the meeting and asked LR for their views.

2. LR confirmed 2 main points they wanted to address were the ending of the temporary measures to rent adjudication and amendments to the Housing Bill.

3. Removing the temporary measures, which they consider caps increases at 12%, will mean higher rent increases for tenants. They advised that they do not feel that they can support tenants to refer a rent increase to RSS due to the potential for the rent to be set above that proposed by the landlord.

4. LR would like to see further emergency measures put in place, with the temporary changes to adjudication maintained, no increase higher than the landlord initially asked for being allowed and, where EPC ratings are below D, the rent cannot be increased.

5. The Minister asked LR to send their proposals. The Minister explained the temporary measures were brought in following the end of the Cost of Living (Tenant Protection) (Scotland) Act (CoLA). Tenants will still have the ability to challenge a rent increase notice through Rent Services Scotland (RSS).

6. LR understands the mechanism for rent adjudication, but with a housing emergency declared, they consider that reverting to the previous requirements is irresponsible.

7. SG advised that there was an increase to RSS with a peak of 1300 applications which is positive uptake and understands tenants concerns. Tenants should feel confident to challenge very high rent increases as unless rents were held below market rent, it is unlikely increases of 40% would be approved by RSS. .

8. LR advised that although there are rights there is not enough around enforcement. They are particularly concerned that landlords will be concerned about rent controls coming into force and we will see rents increased at high

levels in the next year or so.LR explained the amendments they would like to see included within the bill

- Ability for Local Authorities to have first refusal to purchase a PRS property which is being sold by the landlord, particularly where there is a mixed tenure block.
- The proposed rent cap formula should be linked to wage inflation not CPI. Or the +1% should be removed and the cap of 6% should be lower.
- The current fine of £1,000 for landlords not providing data is inadequate and there should be a penalty for proposing a rent increase above the cap.
- The quality of the property is not taken into account. They are concerned landlords could potentially claim an exemption to improve the property but not carry out the work.
- The EPC rating of a PRS property should be taken into account in rent increases.

9. The Minister confirmed some local authorities do already have a programme of purchasing properties from the open market. Regarding the current proposed rent cap, this was discussed with stakeholders. he Minister advised that any fines need to be comparable to similar fines already in force but understood the concerns.

10. SG confirmed there are already minimum standards which must be met to allow landlords to rent out properties and asked that proposals regarding rent increases being linked to quality were shared.

11. The Ministers confirmed the consultation will be open soon and engagement will continue regularly.

Good afternoon

To support the transition out of the Cost of Living (Tenant Protection)(Scotland) Act 2022, Scottish Ministers' put in place temporary changes to how proposed rent increases for Private Residential Tenancies and Statutory Assured Tenancies would be determined through The Rent Adjudication (Temporary Modification) (Scotland) Regulations 2024. These changes were in place for 12 months and aimed at supporting the transition back to market rent following the temporary cap on rents under the Cost of Living Act.

We are writing to confirm that The Rent Adjudication (Temporary Modification) (Scotland) Regulations 2024 will expire at the end of 31 March 2025. As a result, the rent adjudication process will revert back to existing legal requirements, which are based on market rent, from 01 April 2025. To support transition away from the temporary changes, Scottish Ministers will shortly be laying Regulations in Parliament seeking to introduce saving provisions which will ensure that any applications for a rent adjudication that have yet to be finalised or that are being appealed, will continue to be decided on the basis of the temporary changes.

In addition, we will be using a further wave of the Renters Rights campaign launching later this month to raise awareness of the changes and highlight tenants existing rights. This aims to support tenants to understand their rights, how to use them and where to seek further advice and support.

Kind regards,

[redacted: s.38(1)(b)]

Minister for Housing meeting with Emma Roddick

Parliament – 23rd January 2023

Paul McLennan, Minister for Housing (MfH)
Emma Roddick, MSP (ER)

[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

1. [Not in scope]

2. [Not in scope]

3. [Not in scope]

4. [Not in scope]

5. **[Not in scope]**

<u>6. Expiry of the Temporary Rent Adjudication Measures</u>
ER advised that Living Rent have approached her with concerns around the decision not to extend the current changes to rent adjudication, given that it was understood that these would form a bridge to longer terms rent control coming into force. [redacted: s.38(1)(b)] on the basis of and temporary nature of the Cost of Living Act and the purpose of the changes to rent adjudication, which was necessarily as a route back to market rent as the comparator in rent adjudication. MfH reflected on planned meetings with Living Rent to discuss their concerns and the need to look at what could be done to support tenants.

7. [Not in scope]

8. [Not in scope]

9. [Not in scope]

10. [Not in scope]

Renters Rights Campaign Launch – Visit to Muirhouse Citizen Advice Bureaux 19 February 2025 - Note of Visit

In attendance:

Paul McLennan, Minister for Housing
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

1. [redacted - not in scope]

2. [redacted - not in scope]

3. [[redacted - not in scope]

4. [redacted - not in scope]

5. [redacted - not in scope]

6. [redacted - not in scope]

7. CAB set out concerns regarding the ending of the temporary modifications to rent adjudication and the need for further action to support tenants from unaffordable rent increases. They reflected the positive impact measures under the Cost of Living Act had for private tenants. Minister outlined the longer term rent control measures under the bill and welcomed suggestions on any alternative interventions in this area.

8. [redacted - not in scope]

9. [redacted - not in scope]

28 February 2024

Rent Control measures –
Scottish Government and Generation Rent
Meeting summary

Attendees

[redacted: s.38(1)(b)]
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1. [redacted - not in scope]
2. [redacted - not in scope]
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9. [redacted - not in scope]
10. [redacted - not in scope]
11. [redacted - not in scope]
12. [redacted - not in scope]
13. [redacted - not in scope]
14. [redacted - not in scope]
15. [redacted - not in scope]

Rent Adjudication

16. Generation Rent added that they are concerned about the two-year gap between the end of changes to rent adjudication and the introduction of permanent rent controls. It is probable that landlords see this as their window to hike rents now.

17. SG appreciated this concern, and reiterated that the measured in the Cost of Living (Tenant Protection) Act 2022 were temporary and in response to a specific event. These measures would therefore always have had an end, particularly considering that it is extremely unlikely that all local authorities in Scotland will apply to designate rent control areas as soon as the system is in place.

18. Generation Rent asked if an extension of the measures had been considered. There remains a concern that tenants will not see any benefit to using rent adjudication going forward, believing it will no longer work in their favour.

19. SG's Rent Control team is not in a position to answer this in detail, and referred Generation Rent to the PRS team, but confirmed that it will have been considered, particularly the significant reduction in rent adjudication applications recently.

20. [redacted - not in scope]

21. [redacted - not in scope]

22. [redacted - not in scope]

23. [redacted - not in scope]

24. [redacted - not in scope]

25. [redacted - not in scope]

26. [redacted - not in scope]

27. [redacted - not in scope]

28. redacted - not in scope]

Meeting: Minister for Housing with Generation Rent

12 March 2025

Attendees

Paul McLennan, Minister for Housing
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

Meeting Note

1. [redacted: Not in Scope]

2. [redacted: Not in Scope]

3. [redacted: Note in Scope]

4. GR had concerns around the end of the current temporary measures to rent increases being capped at 12%. Their concerns were landlords would be able to increase rents to any level before rent control comes into effect.

5. The Minister explained the need for a balance within the Bill and the importance of continued investment in rented housing. He also advised a consultation will be launched soon which will include potential exemptions to rent control.

6. Regarding the ending of the temporary measures, the Minister explained why these were brought in following the end following the end of the Cost of Living (Tenant Protection) (Scotland) Act (CoLA). Tenants will still have the ability to challenge a rent increase notice through Rent Services Scotland (RSS).

7. [redacted : Not in Scope]

8. [redacted: Not in Scope]

9. [redacted: Not in Scope]

10. [redacted: not in Scope] They remain concerned about the gap between the ending of the temporary measures at the end of this month and introduction of rent control areas and asked if there was any potential to act to limit rent increases in that period.

11. SG confirmed that temporary measures were only in place as part of the exit from CoLA and cannot be used long term.

12. To change this would require primary legislation, which is why changes are included in the Housing Bill. SG confirmed there has rarely been any cases

where the rent increase was challenged and the rent was increased to more than the landlord was initially requesting.

13. [redacted: Not in Scope]

14. [redacted - Not in Scope]

15. [redacted - Not in Scope]

16. [redacted -Not in Scope]

17. [Redacted - Not in scope]

The Scottish Parliament
Pàrlamaid na h-Alba

19 March 2025

Paul McLennan MSP
Minister for Housing
The Scottish Parliament
Holyrood
Edinburgh
EH99 1SP

Dear Paul

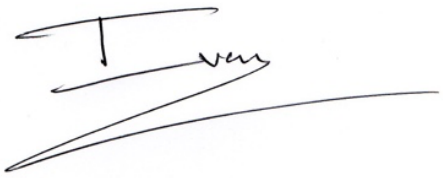
Help for tenants

Constituents have written to me as they are concerned about the imminent expiration of the temporary cap on rent increases which they say is causing them "significant anxiety". They explain that last year many rents increased by 12% and, with the cap set to expire, they worry about facing further increases, especially at a time where there are large increases looming in other costs such as energy and council tax.

They consider that the temporary rent cap provided essential financial relief and protections, and that extending it would prevent further hardship for tenants already facing rising costs.

Could you advise on the Scottish Government's position on policy regarding renting and tenants and also on any practical help the Government is making available to tenants.

Yours sincerely



Ivan McKee MSP
Member of The Scottish Parliament for Glasgow Provan
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Minister for Housing
Ministear airson Taigheadas
Paul McLennan MSP/BPA

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Scottish Government
Riaghaltas na h-Alba
gov.scot

Ivan McKee MSP
Jane.Denholm@parliament.scot

Our Reference: 202500458165
Your Reference: Help for tenants

4 April 2025

Dear Ivan,

Thank you for your correspondence of 19 March regarding regarding your constituents concerns about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

I am aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

The temporary changes to rent adjudication were intended to manage the risk of very steep increases in rents following the ending of the Cost of Living Act by preventing a return to market rent in a single step. This aim has been achieved for those who sought a review of a rent increase.

We know that there may be some tenants with applications for a review of a rent increase made before the temporary measures end that will not yet have reached a final determination. I have therefore laid regulations before Parliament which, subject to the Parliamentary process, mean a tenant in these circumstances will continue to have their application decided on the basis of the temporary changes in force when the application was made.

From the 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

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means that protections continue to be in place against rent increases above market rent for most private tenants.

Where a rent increase, or a change of circumstances, results in a tenant being unable to afford their rent, there is support available, for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

We know that some private tenants, particularly those on lower incomes and those from seldom heard audiences such as minority ethnic families or lone parents, are less likely to know their existing rights, or might know their rights, but feel unable to exercise them. We have therefore launched a Renters Rights campaign as part of our efforts to address this. With the ending of the measures, I particularly want to highlight that tenants' continue to have a right to seek an independent review of a rent increase.

I hope this is helpful for your constituents.

Yours sincerely

PAUL McLENNAN

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

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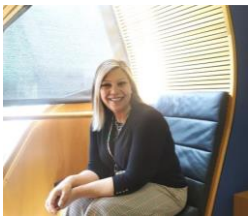

K A U K A B S T E W A R T M S P

Member of the Scottish Parliament for Glasgow Kelvin

Minister for Housing
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

3rd March 2025
Our ref: KA5087

Dear Paul,

Re. Housing (Scotland) Bill – Rent Protections

I am writing to you on behalf of constituents, including members of the Partick branch of Living Rent (Scotland's Tenants and Community Union), who have raised serious concerns regarding the impact of the forthcoming changes to rent protections and the pressures within the private rental market. While I appreciate the Scottish Government's commitment to long-term rent controls through the Housing (Scotland) Bill, there is significant anxiety regarding the interim period between the end of current protections on April 1st and the implementation of the new legislation.

Many constituents are experiencing substantial rent increases that far exceed inflation or any justified costs to landlords. In cases brought to my attention, tenants have faced rent hikes of over 10% despite no improvements to the property or additional expenses incurred by landlords. Others, upon challenging rent increases have struggled to secure alternative housing due to the highly competitive nature of the market.

A particular concern is the rent adjudication process, which determines 'fair' rent based on market value. Given the well-documented inflation of rental prices in areas such as Glasgow's West End, this approach does little to protect tenants from unsustainable increases. Indeed, market value in some cases is being driven by landlords' ability to charge ever-higher rents, rather than by a fair reflection of property standards or reasonable affordability.

Furthermore, I have been contacted by constituents who, after experiencing rent increases, have struggled to secure alternative accommodation. Some have endured prolonged periods of housing instability, including unsuitable temporary arrangements and, in extreme cases, concerns about potential homelessness. One constituent has described how their financial stability deteriorated due to the stress and disruption caused by substandard housing conditions, leading them to leave full-time employment. The lack of recourse for tenants facing these situations is deeply troubling.

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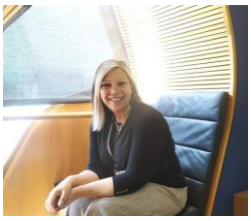

KAUKAB STEWART MSP

Member of the Scottish Parliament for Glasgow Kelvin

I acknowledge the recent launch of the Scottish Government's renter rights campaign, which aims to inform tenants of their rights in challenging unfair rent increases. While this is a welcome initiative, many renters remain concerned that the current system does not adequately protect them from excessive market-driven rent hikes. Constituents have emphasised that the campaign itself highlights the limitations of the existing framework, as 'fairness' is still measured against inflated market values.

Given the urgency of these issues, I would be grateful if you could outline:

1. **What measures is the Scottish Government considering preventing excessive rent hikes during the transition period before the Housing (Scotland) Bill takes effect?**
2. **Given that 'fair' rents are currently assessed based on market value, does the government have any plans to reform this process to better protect tenants from unsustainable increases?**
3. **How does the government plan to ensure that tenants who challenge rent increases are not penalised by landlords or letting agents?**
4. **What steps are being taken to monitor the impact of lifting rent caps, particularly in high-demand areas such as Glasgow's West End?**
5. **What financial or legal support is available to renters' facing significant financial hardship due to rising rents?**
6. **How does the government intend to address cases where landlords refuse to maintain properties to a habitable standard while still imposing significant rent increases?**

Many thanks in advance for your assistance.

Yours sincerely,

Kaukab Stewart.

Kaukab Stewart MSP

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Kaukab Stewart MSP
Amy.MacInnes@Parliament.scot

Our Reference: 202500455428
Your Reference: Kaukab Stewart MSP - Case ref: KA5087 - Rent Controls

21 March 2025

Dear Kaukab,

Thank you for your correspondence of 3 March on behalf of your constituents, including members of the Partick Branch of Living Rent, regarding their concerns about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

I am aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

The temporary changes to rent adjudication were intended to manage the risk of very steep increases in rents following the ending of the Cost of Living Act, which some tenants may have experienced if there was a return to market rent in a single step. This aim has been achieved for those who sought a review of a rent increase.

We know that there may be some tenants with applications for a review of a rent increase made before the temporary measures end that will not yet have reached a final determination. I have therefore laid regulations before Parliament which, subject to the Parliamentary process, mean a tenant in these circumstances will continue to have their application decided on the basis of the temporary changes in force when the application was made.

From 1 April 2025, the rent adjudication process will revert back to existing legal requirements under

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the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This means that protections continue to be in place against rent increases above market rent for most private tenants.

Where a rent increase, or a change of circumstances, results in a tenant being unable to afford their rent, there is support available, for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

In relation to tenants' rights, issues regarding disrepair sit with the First Tier Tribunal (FTT). Tenants are already able to raise issues of disrepair to the FTT, and the FTT are able to enforce compliance through Repairing Standard Enforcement Orders and Rent Relief Orders if appropriate.

As you are aware, we know that some private tenants, particularly those on lower incomes and those from seldom heard audiences such as minority ethnic families or lone parents, are less likely to know their existing rights, or might know their rights, but feel unable to exercise them. We have therefore launched a Renters Rights campaign as part of our efforts to address this. With the ending of the measures, I particularly want to highlight that tenants continue to have a right to seek an independent review of a rent increase.

With regard to the article from The National about a tenant who hopes for a change in the law after losing their case at the First Tier Tribunal for Scotland (Housing and Property Chamber), while I am unable to provide advice or comment directly in relation to an individual's particular circumstances, I hope that the following information will be helpful.

The Scottish Government agrees that a landlord must be able to recover possession of their property when they follow the correct legal procedures for eviction. If a tenant is reluctant to leave a let property after being served the correct notice(s), a landlord must obtain an eviction order from the First-tier Tribunal for Scotland (Housing and Property Chamber).

A tenant facing eviction has the right to remain in the property until an eviction order is enforced. It is the landlord's responsibility to ensure that they follow eviction procedures correctly when regaining possession of their property. Failure to follow this process correctly could mean that a tenant is being illegally evicted.

As you will be aware, the First Tier Tribunal for Scotland (Housing and Property Chamber) is not a government department, nor is it run by the Scottish Government. The relevant legislation ensures the tribunal is completely independent of government and does not give Ministers any powers to intervene in, or express a view on, any of its actions or decisions. The operation of Scottish Tribunals is the statutory responsibility of the Scottish Courts and Tribunals Service under the independent leadership of the Lord President. This is necessary in order to preserve the independence of the judiciary and to protect it from political interference.

If an individual wishes to raise a complaint about the handling of their case, they may use the Tribunal's complaints process, which is set out on this webpage: https://www.housingandpropertychamber.scot/contact-us/feedback-and-complaints

If they remain dissatisfied having exhausted the Tribunal complaints procedure, they can then make a

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complaint through the Scottish Public Services Ombudsman (SPSO). Contact details for SPSO are available here: https://www.spso.org.uk/contact-us

I trust this is helpful.

Yours sincerely

PAUL McLENNAN

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Paul McLennan MSP
Minister for Housing
Housing
Scottish Government, St Andrew`s House
Regent Road
Edinburgh
EH1 3DG

Our Ref: ER9183 25 February 2025

Dear Paul,

I am writing regarding the cessation of temporary rent control measures from 1st April.

As you know, I share the concerns of tenants' groups about the potential impact this will have as it leaves an obvious gap between the temporary measures, introduced in recognition of a cost crisis which still exists, particularly in housing alongside the housing emergency, and the forthcoming Housing Bill which seeks to introduce long-term measures. While most landlords may not seek to take advantage of this gap, I believe that there needs to be some recognition that many will, and those tenants deserve whatever protection they can be afforded ahead of the introduction of a long-term plan that the Government has deemed necessary.

There do seem to be opportunities to lessen the impact of the removal of the rent adjudication element ahead of the Housing Bill, ensuring that tenants retain as much power as possible to challenge unfair rent increases. I would like to know whether the Government could consider making permanent some of the emergency protections introduced, as it has with other emergency legislation. I believe this should include:

- That the rent officer's decision cannot be to set rent above what a landlord has suggested
- That the rent officer can consider an element of discretion when making their decision – e.g., on standards

I would welcome further discussion or correspondence on this matter and look forward to hearing your thoughts.

Yours sincerely,

Emma Roddick MSP

Minister for Housing
Ministear airson Taigheadas
Paul McLennan MSP/BPA

Scottish Government
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Emma Roddick MSP
emma.roddick.msp@parliament.scot

Our Reference: 202500454568
Your Reference: ER9183

18 March 2025

Dear Emma Roddick MSP,

Thank you for your correspondence of 25 February regarding your concerns about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

I am aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

The temporary changes to rent adjudication were intended to manage the risk of very steep increases in rents following the ending of the Cost of Living Act by preventing a return to market rent in a single step. This aim has been achieved for those who sought a review of a rent increase.

We know that there may be some tenants with applications for a review of a rent increase made before the temporary measures end that will not yet have reached a final determination. I have therefore laid regulations before Parliament which, subject to the Parliamentary process, mean a tenant in these circumstances will continue to have their application decided on the basis of the temporary changes in force when the application was made.

From 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This means that protections continue to be in place against rent increases above market rent for most private

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tenants.

Where a rent increase, or a change of circumstances, results in a tenant being unable to afford their rent, there is support available, for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

You have suggested that the Housing (Scotland) Bill should include that a rent officer's decision cannot be set above what a landlord has suggested. I would like to reassure you that the Housing (Scotland) Bill as introduced already includes provisions which will prevent Rent Service Scotland or the First-Tier Tribunal for Scotland (Housing and Property Chamber) from setting a rent above that requested by the landlord. These provisions are set out in Chapter 3 of the Bill under Other Restrictions on Rent Increases – Capping of Rent Cases on referral or appeal.

You have also suggested that a Rent Officer should be able to consider an element of discretion when making their decision, for example, to take into consideration the standard of the property. We have no plans at this stage to introduce additional discretion into the rent adjudication process as the role of the Rent Officer is intended to be administrative rather than discretionary. In relation to tenants' rights, issues where discretionary decisions are needed sit with the First Tier Tribunal (FTT). Tenants are already able to raise issues of disrepair to the FTT, and the FTT are able to enforce compliance through Repairing Standard Enforcement Orders and Rent Relief Orders if appropriate.

We know that some private tenants, particularly those on lower incomes and those from seldom heard audiences such as minority ethnic families or lone parents, are less likely to know their existing rights, or might know their rights, but feel unable to exercise them. We have therefore launched a Renters Rights campaign as part of our efforts to address this. With the ending of the measures, I particularly want to highlight that tenants continue to have a right to seek an independent review of a rent increase.

I trust this is helpful.

Yours sincerely

PAUL McLENNAN

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Natalie Don-Innes MSP
1A Paisley Road
Renfrew
PA4 8JH

Paul McLennan MSP
Minister for Housing
Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

24th February 2025

Dear Paul,

I am writing on behalf of members of Living Rent Paisley to raise concerns regarding the upcoming expiry of temporary rent adjudication measures on 31 March 2025.

While the group acknowledges the work being done through the Housing (Scotland) Bill to introduce longer-term rent controls and tenant protections, there is significant concern about the interim period between the end of the temporary measures and the Bill's implementation, given that it is currently at Stage 2.

As the system reverts to market-based rent adjudication, Living Rent are concerned that there is a risk that tenants could face two substantial rent increases in a short space of time. This would place disproportionate financial strains on private tenants already struggling with the cost of living crisis, especially when compared with tenants in social housing.

I would be grateful if you could advise whether the Scottish Government intends to take any action to mitigate this risk and protect tenants from sudden rent hikes during this transition period.

Telephone: 0141 587 5049
Email: Natalie.don.msp@parliament.scot
Twitter: @NatalieDon_
Website: https://www.nataliedon.scot/

I also understand that George Adam MSP has made representations on behalf of Living Rent Paisley and was arranging a meeting with you to discuss this matter.

I look forward to your response.

Yours Sincerely,

Natalie Don-Innes MSP
Renfrewshire North and West Constituency

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Twitter: @NatalieDon_
Website: https://www.nataliedon.scot/

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Natalie Don-Innes MSP
Natalie.Don-Innes.msp@parliament.scot

Our Reference: 202500454528
Your Reference: ND4230

22 April 2025

Dear Natalie,

Thank you for your correspondence of 25 February on behalf of members of Living Rent Paisley about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

I am aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

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We know that there may be some tenants with applications for a review of a rent increase made before the temporary measures end that will not yet have reached a final determination. I have therefore laid regulations before Parliament which, subject to the Parliamentary process, mean a tenant in these circumstances will continue to have their application decided on the basis of the temporary changes in force when the application was made.

From the 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This

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means that protections continue to be in place against rent increases above market rent for most private tenants.

Where a rent increase, or a change of circumstances, results in a tenant being unable to afford their rent, there is support available, for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

We know that some private tenants, particularly those on lower incomes and those from seldom heard audiences such as minority ethnic families or lone parents, are less likely to know their existing rights, or might know their rights, but feel unable to exercise them. We have therefore launched a Renters Rights campaign as part of our efforts to address this. With the ending of the measures, I particularly want to highlight that tenants' continue to have a right to seek an independent review of a rent increase.

George Adam MSP has has been in touch with me as you say, I look forward to meeting him at a mutually convenient time.

I hope this is helpful for your constituent.

Yours sincerely

PAUL McLENNAN

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Good morning

Please see highlighted below from Nicola for the attention of the Housing Minister

”I have been approached by several constituents who are concerned about the ending of temporary rent control measures on 31 March.

While I understand that temporary measures cannot be in place indefinitely, I share the fear of extremely high rent increases taking effect when the protection ends.

It seems to me that a transitional approach is needed pending a longer-term approach being in place. I’d be grateful to know what consideration is being given to this.

Nicola Sturgeon
Office of Nicola Sturgeon, MSP for Glasgow Southside
Unit 3 Govanhill Workspace
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Tel 0141 424 1174.

Minister for Housing
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Scottish Government
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Nicola Sturgeon MSP
Irfan.Rabbani@parliament.scot

Our Reference: 202500453767
Your Reference: Case Ref: NS7627

13 March 2025

Dear Nicola Sturgeon MSP,

Thank you for your correspondence of 20 February regarding your constituents concerns about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

I am aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

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From the 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This

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I hope this is helpful for your constituents.

Yours sincerely

PAUL McLENNAN

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From: Daniel Johnson MSP
Sent: 11 February 2025 14:55
To: Minister for Housing
Subject: Housing and rental caps in Edinburgh (Case Ref: DJ18716)

Dear Minister,

A constituent has written to me, very concerned about the possibility of exorbitant rental increases in the near future. With rental caps being lifted at the end of March, and no protections until 2027:

- Why has the Government allowed the rental cap to lapse?
- What is the Scottish Government doing to protect tenants from unaffordable rental increases? Especially as landlords will be motivated to take advantage while they can.

Kind regards,

Daniel

Daniel Johnson MSP
Scottish Labour Party MSP – Edinburgh Southern
Shadow Cabinet Secretary for Finance and the Economy
134 Comiston Road, Edinburgh, EH10 5QN
Tel: 0131 541 2145

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Minister for Housing
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Daniel Johnson MSP
daniel.johnson.msp@parliament.scot

Our Reference: 202500452459
Your Reference: Case Ref: DJ18716

5 March 2025

Dear Daniel Johnson MSP,

Thank you for your correspondence of 11 February regarding your constituent's concerns about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

I am aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

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From the 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This

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means that protections continue to be in place against rent increases above market rent for most private tenants.

Where a rent increase, or a change of circumstances, results in a tenant being unable to afford their rent, there is support available, for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

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I hope this is helpful for your constituent.

Yours sincerely

PAUL McLENNAN

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[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

To: Minister for Housing <ministerforhousing@gov.scot>
Subject: Rent control

Hello,

I hope this email finds you well. I understand you may be inundated with emails of a similar concern.

I'm in a private let, I've rented with the same landlord since 2017. She has increased the rent by £50 per year under the rent controls and has advised that now they are lifted, she will be looking to put rent up to meet the market value of the home. It's currently £600p/m and will be looking to be increased anywhere from £1000+ per month due to the flat and area. I can't afford to move at the moment as I don't have funds for a deposit and first months rent on a new tenancy, there is no support at present for first time buyers so a deposit for a mortgage is not in my future.

What protections will be in place? I can absolutely appeal any further increase but I'm not on a fixed term contract for the tenancy, it rolls on a month by month basis. So not coming to any agreement will result in eviction. I'm due to go on maternity leave soon so I'm naturally incredibly anxious, my income is going to be significantly lower and I already struggle to make ends meet on a full time nurse salary. I'm really worried I'm going to end up homeless.

Kind regards,
[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

HOUSING

DIRECTORATE FOR LOCAL GOVERNMENT AND

DLGH : Better Homes

Scottish Government
Riaghaltas na h-Alba
gov.scot

[redacted: s.38(1)(b)]
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[redacted: s.38(1)(b)]

15 April 2025

[redacted: s.38(1)(b)]

Thank you for your correspondence of 31 March 2025 to Paul McLennan MSP, the Minister for Housing, regarding your concerns about the possibility of rent increases following the ending of the temporary changes to rent adjudication on 31 March 2025. I have been asked to reply.

While neither Scottish Ministers nor Scottish Government officials are able to provide advice in relation to an individual's particular circumstances, I hope that the following information will be helpful.

We are aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

The temporary changes to rent adjudication were intended to manage the risk of very steep increases in rents following the ending of the Cost of Living Act by preventing a return to market rent in a single step. This aim has been achieved for those who sought a review of a rent increase.

We know that there may be some tenants with applications for a review of a rent increase made before the temporary measures end that will not yet have reached a final determination. The Scottish Government has therefore laid regulations before Parliament which, subject to the Parliamentary process, mean a tenant in these circumstances will continue to have their application decided on the basis of the temporary changes in force when the application was made.

From the 1 April 2025, the rent adjudication process reverted to existing legal requirements under the

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Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This means that protections continue to be in place against rent increases above market rent for most private tenants.

Where a rent increase, or a change of circumstances, results in a tenant being unable to afford their rent, there is support available, for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

We know that some private tenants, particularly those on lower incomes and those from seldom heard audiences such as minority ethnic families or lone parents, are less likely to know their existing rights, or might know their rights, but feel unable to exercise them. We have therefore launched a Renters Rights campaign as part of our efforts to address this. With the ending of the measures, we particularly want to highlight that tenants' continue to have a right to seek an independent review of a rent increase.

With regard to your particular circumstances, you may find it helpful to seek advice from an independent advice organisation such as Shelter Scotland or Citizens Advice Scotland.

Their contact details are:
Shelter Scotland: https://scotland.shelter.org.uk/about_us/contact_us
Citizens Advice Scotland: https://www.citizensadvice.org.uk/scotland/about-us/get-advice-s/

More information on private residential tenancies can be found on the Scottish Government's website at the following link: https://www.gov.scot/publications/private-residential-tenancies-tenants-guide/

I hope this is helpful.

Yours sincerely

[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

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[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

To: Minister for Housing <MinisterforHousing@gov.scot>
Subject: End of rent cap

Dear Paul,

I am writing to you as a private tenant living in Edinburgh.

In 2021 I moved back to Edinburgh, having lived here as a student from 1997-2001. I moved back to Scotland because it was the only place that I considered home and I hoped I would be able to afford to live here and build a life.

I spent most of my adult life in London. It was unaffordable and unsustainable as an autistic person. I was chronically burnt out and in massive debt.

Scotland, I felt, was a place that not only reflected my values but was also a place that I could feel supported and valued.

Today I learnt that from March rent controls will be scrapped. Even if temporarily this terrifies me. I have been living in my rented flat since 2021 and the rent is already going up to a rate I am struggling to keep up with.

My bills are going up, my council tax is due to go up, and now this news about rent controls terrifies me. I work as a bookseller and am not on a very high salary. I am autistic and live with anxiety and depression.

When I heard the news I literally felt sick with worry. Edinburgh is in the middle of a declared housing crisis and simply scrapping controls is deeply irresponsible and unacceptable.

This will have very real consequences for the most vulnerable in society and I am deeply concerned for myself and for others.

It’s not the kind of policy I would expect from the SNP, a party which I thought reflected my values and concerns.

Please, please do something about this and ensure we are protected in the immediate short term. Long term plans are meaningless if I cannot afford anywhere to live in the short term.

Best wishes

[redacted: s.38(1)(b)]
[redacted: s.38(1)(b)]

HOUSING

DIRECTORATE FOR LOCAL GOVERNMENT AND

DLGH : Better Homes

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[redacted: s.38(1)(b)]

[redacted: s.38(1)(b)]

4 March 2025

[redacted: s.38(1)(b)]

Thank you for your correspondence of 6 February regarding your concerns about the possibility of rent increases once the temporary changes to rent adjudication come to an end on 31 March 2025.

We are aware of concerns about the ending of these measures and know there is a need for longer term action on rents, which is why we are taking forward measures in the Housing (Scotland) Bill. When bringing forward the changes to rent adjudication we were clear that their purpose was to support the move away from the temporary rent cap introduced as part of the Cost of Living (Tenant Protection) (Scotland) Act 2022, back to the terms of the existing requirements on rent increases and rent adjudication.

The temporary changes to rent adjudication were intended to manage the risk of very steep increases in rents following the ending of the Cost of Living Act by preventing a return to market rent in a single step. This aim has been achieved for those who sought a review of a rent increase.

We know that there may be some tenants with applications for a review of a rent increase made before the temporary measures end that will not yet have reached a final determination. The Scottish Government has therefore laid regulations before Parliament which, subject to the Parliamentary process, mean a tenant in these circumstances will continue to have their application decided on the basis of the temporary changes in force when the application was made.

From the 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This means that protections continue to be in place against rent increases above market rent for most private tenants.

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We know that some private tenants, particularly those on lower incomes and those from seldom heard audiences such as minority ethnic families or lone parents, are less likely to know their existing rights, or might know their rights, but feel unable to exercise them. We have therefore launched a Renters Rights campaign as part of our efforts to address this. With the ending of the measures, we particularly want to highlight that tenants' continue to have a right to seek an independent review of a rent increase.

I hope this is helpful.

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St Andrew's House, Regent Road, Edinburgh EH1 3DG www.gov.scot

Citizens Advice Scotland briefing on the impact of the end of temporary modifications to rent adjudication

March 2025

Key Points

- Temporary modifications to the rent adjudication system are due to expire on 31 March 2025.
- **If further protection against high rent rises is not put in place, there will be serious consequences.** More people in Scotland will face unaffordable rent and will have to find alternative accommodation. This will also result in more people becoming homeless. In the context of a national housing emergency, this will add further pressure to a system that already cannot cope, and cause avoidable harm to many people.
- The Scottish Government must act urgently to prevent this by maintaining the effect of the temporary modifications through any available mechanism. This provision must be in place until the Housing Bill takes effect.

Background

The temporary modifications to the rent adjudication system in Scotland have been in place for a year and they are set to expire at the end of March 2025. They were introduced as part of a transition away from the rent caps introduced under the Cost of Living Act. The modifications introduced a new approach whereby rent officers could apply a tapering formula for rent increases based on the gap between current rent levels and the open market rent, effectively capping rents to 6%, or 12% depending on the size of the gap between the current rent and the open market rent. The modifications also meant that if a rent increase was referred for adjudication, the adjudicating body (Rent Service Scotland) could not set a new rent that was higher than the landlord's proposal.

The modifications offered some protection against high rent rises, and Citizens Advice Scotland had hoped these would continue until a new rent control system was in place, because we know from our evidence that households are still struggling to meet their costs, and further financial pressures are expected. In early February 2025, we wrote to the Housing Minister expressing our concern about the end to the temporary modifications. It is our understanding that there is currently no intention to continue these modifications, which we are disappointed to see.

This briefing is based on evidence from across the Citizens Advice network in Scotland, and provides an insight on the anticipated impact of the expiration of the temporary modifications and recommendations for action.

Our evidence and anticipated impact

People across Scotland continue to struggle with the cost of living. Rent increases do not exist in a vacuum and with the recent energy price cap increase, council tax rises and continued inflationary effects raising the price of everyday essentials, we know that household budgets will continue to be squeezed.

Our evidence shows:

- Advice on threatened **homelessness increased by 12%** between Q3 2023/24 and Q3 2024/25.
- Advice on **private rented sector rents increased by 45%** between Q3 2023/24 and Q3 2024/25.
- Views of our webpage "the landlord wants to increase the rent" remain very high, with nearly 6,000 views between Q1 and Q3 this year.
- People are also facing energy pressures: those who sought energy advice from our network had an **average energy debt of £2500 – an 8% increase** from last year. This increased to an average energy debt of **over £3100 in rural Scotland**.

Our evidence indicates that if further protections against rent rises are not implemented, more people in Scotland will face unaffordable rent rises and will be forced to find alternative accommodation. In areas of particularly pressurised rents, it is inevitable that more people will become homeless. We also know that there will be pressure on landlords too, and they will need support as well. The Scottish Government must act urgently to prevent this. To do so will provide clarity and reassurance to tenants and landlords in the short term while the Housing Bill continues its passage through Parliament.

Alex's experience

Alex recently approached her local Citizens Advice Bureau for advice as her landlord informed her of his intention to raise her rent from £900 to £1200, an increase of over 30%. Alex is a single parent to three children and also a full-time college student. The proposed rent increase is causing Alex to worry about how she will afford this on their low income. Alex is considering having someone move in to help share the cost but does not have enough bedrooms for this.

Recommendations

1. The Scottish Government must take the necessary steps to maintain the effect of the temporary modifications through any available mechanism, i.e. a limit on rent increases up to a maximum of 12% and Rent Service Scotland should not set new rents higher than the landlord's proposal.
2. Any such provision must be in place until the Housing Bill takes effect, and the rent control section of the Housing Bill must be prioritised for implementation as soon as practicable.
3. The Scottish Government should provide financial support directly to landlords who can demonstrate that their costs exceed 12%, which is the upper limit on rent increases allowed by the temporary modifications.

Minister for Housing
Ministear airson Taigheadas
Paul McLennan MSP/BPA

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2 April 2025

[redacted: s.38(1)(b)]

Thank you for your correspondence of 12 March 2025 reiterating your concerns about the impact of the end of temporary modifications to rent adjudication and providing further information.

The temporary changes to rent adjudication were intended to manage the risk of very steep increases in rents following the ending of the Cost of Living Act by preventing a return to market rent in a single step. This has been achieved for those tenants who sought a review of a rent increase.

From the 1 April 2025, the rent adjudication process will revert back to existing legal requirements under the Private Housing (Tenancies) (Scotland) Act 2016 and the Housing (Scotland) Act 1988. This means that protections continue to be in place against rent increases above market rent for most private tenants. That is why it is vitally important that tenants, like the family in the case study you provide, make use of their rights to seek a review of a rent increase.

I am very grateful to you for your support for the Renters Rights Campaign and the work you do to support tenants understand and exercise their rights.

We remain committed to progressing a framework to put in place longer term rent control where these are needed, and providing additional support to tenants, for example through for example through Discretionary Housing Payments. In 2025/26 we are making over £97m available to local authorities to spend on Discretionary Housing Payments, an increase of nearly £7m over 2024/25.

I'm grateful for your continued engagement on these important issues.

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Yours sincerely

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PAUL McLENNAN

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