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Ariane Burgess MSP
Convener
Local Government, Housing and Planning
Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Your ref: Public petitions PE1743 and PE1778
6 December 2022

Dear Convener,

Thank you for your letter of 31 October 2022 to Shona Robison MSP, Cabinet Secretary for Social Justice, Housing and Local Government, requesting a response to the above public petitions requested by the Local Government and Communities Committee, I have been asked to reply as this falls under my remit.

The Committee has asked for an update on progress in regard to both petitions.

Petition 1743

As previously stated in our response of 12 January 2021, while the Scottish Government's initial assessment is that it is not necessary to amend the Rent (Scotland) Act 1984, we have agreed to examine the issue further.

The committee will be aware that in 2021 and 2022 we introduced the Coronavirus (Extension and Expiry) Act, Domestic Abuse (Protection) (Scotland) Act 2021, revised the Social Housing Charter and most recently have taken forward the Cost of living (Tenant Protection) (Scotland) Act 2022. These have necessarily been the focus of much of our work. Our New Deal for Tenants Rented Sector Strategy sought views on changing the current Rent Adjudication process to remove the ability for a Rent Officer, or First-tier Tribunal for Scotland (Housing and Property Chamber) to increase the rent above that requested by the landlord in relation to Private Residential Tenancies. As part of this work we will be exploring whether similar changes for Regulated Tenancies in the Social and Private Rented Sectors would provide one way to resolve concerns raised by the petitioner.

Following this, if a decision is made to amend the existing legislation we will seek to make these changes at an appropriate time in the parliamentary timetable.

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Petition 1778

Due to the coronavirus outbreak and the subsequent pressures on both Local Authorities and Scottish Government, the Scottish Government returned to this work early in 2022 and draft Statutory Guidance has been produced, including all legislative changes such as the Private Landlord Registration (Information)(Scotland) Regulations 2019. This was sent to all Local Authorities for consultation. A short term working group has been set up to discuss and finalise the comments from Local Authorities with the aim of issuing a revised Statutory Guidance early 2023. We continue to work toward the commitment we made in the [Housing to 2040 strategy](#), to review the existing registration and regulation regimes within the private rented sector. We have published analysis of the response to our Private Rented Sector Strategy and are considering our next steps: [Supporting documents - A New Deal for Tenants: consultation analysis - gov.scot \(www.gov.scot\)](#).

I hope these approaches are acceptable to the Committee.

PATRICK HARVIE

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