

# Ready to Rent:

## Be clear on fees and licensing in Scotland



### Fees and Licensing

There have been a number of changes in the law that regulates fees and licensing for landlords, across England, Wales, Scotland and Northern Ireland.

#### Letting agents' fees:

Letting Agents in Scotland are prohibited from charging fees before you sign up to rent a property. This includes:

- Charging a 'finder's fee' or registration fee to sign up with the agent
- Asking for a deposit before you have secured a property to live in

Once a letting agent has found a property that you want to rent, they are entitled to ask you to pay a deposit. Letting agents have no legal right to ask you to pay any other fees or charges in order to rent a property. If you are asked to pay any of these unlawful charges, challenge the letting agent and refuse to pay. This includes:

- Administration charges
- Credit reference checks
- Personal reference checks
- Property checks, inventory listings or appointments

If you have already been charged these fees, write to your letting agent and ask for your money to be repaid in full. If they refuse, seek advice from your Students Association, as you may be able to take the agent to the small claims court to recover your money.

#### Registration:

In Scotland, all private landlords must be registered with the central Landlord Registration System. The registration process checks whether the individual passes a 'fit and proper



person' test which verifies whether they have any previous convictions for a range of offences including fraud, antisocial behavior and harassment.

Landlords have to supply their registration number on any adverts for their properties, and tenants can check whether their landlord is licensed using the online central registration scheme

<https://www.landlordregistrationscotland.gov.uk/Pages/Process.aspx?Command=ShowHomePage>

## Licensing

An HMO (house in multiple occupation) is a property occupied by three or more tenants who are not members of the same family, who share communal facilities like a bathroom and kitchen. HMO landlords must have a license from the local council. This ensures that the property is managed properly and meets certain basic safety standards.

To find out whether your property has an HMO license, ask your landlord or contact your local council.

It is a criminal offence for your landlord to operate an HMO without a licence, and they could be fined up to £50,000. If your local council thinks a property is being run as an unlicensed HMO, they can inspect it without giving any warning. If you think the HMO you are living in may be unlicensed, you should contact your local council.

## Check your deposit is protected

In **Scotland**, your landlord must notify you within 30 days of receiving your deposit and let you know how it is protected. In Scotland there are three schemes:

- Letting Protection Service Scotland
- Safedeposits Scotland
- My Deposits Scotland

You can find more information on the Gov.Scot website <http://www.gov.scot/Topics/Built-Environment/Housing/privaterent/landlords/tenancy-deposit-schemes>)

