

No.3

Renting Matters in Falkirk

Welcome

to the 3rd edition of our Renting Matters in Falkirk

This edition focuses on bringing the most relevant updates to landlords and letting agents, including Local Housing Strategy survey feedback, information on our pilot Tenant Engagement Survey, the date of our next Landlord and Letting Agents Forum as well as changes to tenant protection legislation.

Landlord and Letting Agents Forum:

21 June 2023

Our next virtual forum for landlords and letting agents will take place on Wednesday 21 June 2023, 10am – 1pm. We will add agenda information to our webpages soon. In the meantime, if you have any topics you would like to suggest for this event, please email us at privatesector.housing@falkirk.gov.uk. Information on our last virtual event is available online at [Private Housing - Landlord and Letting Agent Forum](#)

Local Housing Strategy

The Local Housing Strategy (LHS) is the main strategic document for housing across Falkirk and it also links into other local authority strategic documents.

We are currently developing our new LHS to cover the period 2023 – 2028. To inform this process, we issued a main LHS Survey and three private sector housing surveys – a Landlord & Letting Agent Survey (see below), a Private Tenant Survey, and a Scheme of Assistance Survey.

Summary Reports for all three surveys will be published on our [Local Housing Strategy 2023-28: Private Sector Housing Consultations](#) page early Summer 2023.

The feedback received from these surveys helps us better understand the different elements of private sector housing in Falkirk and develop our 2023 – 2028 Local Housing Strategy (LHS), setting out our priorities and plans for the delivery of housing and housing related services.

Landlord and Letting Agent Survey 2022/23

Survey Feedback

The Landlord and Letting Agent Survey was launched late October 2022 and ran until 31/1/23. In total, 81 anonymous responses were received: 79 landlords and 2 letting agents.

We have shared the main findings from the survey below for your information. We will also be sharing the results at our forthcoming Landlord and Letting Agent Forum, on Wednesday 21/6/23.

In relation to landlords, this represents a response rate of under 2%. We are keen to receive feedback from the wider landlords and letting agents group on how reflective the survey findings are. If you wish to provide feedback to us, you can come along to our virtual forum or email us at: privatesector.housing@falkirk.gov.uk

Respondent Profile:

79 landlord responses:

- Average 3 properties within, 2 properties out with Falkirk
- 50% letting 10+ years, 33% 4-9 years, 17% 0-4 years
- 45% letting as an investment, 31% secondary business/income
- 58% use a letting agent

2 letting agent (LA) responses:

- Average 9 properties within, 289 properties out with Falkirk
- both have let for 10+ years
- both as a main business

Main Findings

- **58% of landlords will continue letting in some form, 9% undecided, 100% of letting agents**
- **Property conditions: 99% of landlords rated as very good / good**
- **Rent set: letting agent advice (49%), similar rents (16%), Local Housing Allowance / Universal Credit (3%), mixture (18%), cover costs (5%), based on what tenants can pay (4%)**
- **Let for advertised rent: 82% landlords (14% have reduced: demand/ tenants need, 4% increased due to demand), letting agent 100% Always**
- **Repairs: 54% have established arrangements, 43% sources when required, 3% mixture**
- **57% of landlords have established improvement plans in place, 39% are reactive and 3% are a mixture if established and reactive**
- **Property type demand: landlords (61% flats), letting agent (100% terraced/ semi-detached)**
- **Location demand: Falkirk, Larbert, All areas**
- **Hard to Let: No gas/ electric heating and 1 bed/ 1 bed flats**
- **High levels of regulatory awareness (Landlord Register (100%), Tenancy Deposits (100%), with lower level of awareness around Repairing Standard (84%), Energy Performance Certificate reform (71%) in landlords**
- **Lower levels of support awareness in landlords (Private Sector Team (75%), Scottish Association of Landlords (75%) Landlord Accreditation Scotland (67%), Home Energy Scotland (67%), Under One Roof (20%)**
- **Landlords rated Private Sector Team contact as very important / important (43%), followed by Forum/ Virtual Forum (37%), Private Sector webpages (28%), E-newsletter (27%)**
- **Letting Agents rated the Forum/ Virtual Forum as very important / important (100%), followed by Private Sector Team contact, Private Sector webpages, E-newsletter (all 50%)**

Tenants Engagement Survey

We will be launching our pilot Tenant Engagement Survey in the near future. This pilot is aimed at private rented tenants and asks tenants to confirm that their property meets the Repairing Standard. It also allows them to sign up for private sector mailings and future consultations. The survey will be arranged on a postcode basis: postcode information will be added to our [What's New page](#) before the letters go out. Please contact us if you have any queries.

Local Development Plan

Falkirk Council is starting the process of preparing a new Local Development Plan (LDP3) which will guide growth and change in the local communities. It will indicate where new development should or should not take place, what infrastructure is needed to support growth, and how our environment and greenspace can be improved.

We want the views of national and local organisations and businesses who have a stake in the area to supply information relating to their interests. The responses will help the evidence gathering process and will help us prepare an Evidence Report on which to base the new plan.

You can find the survey at [Falkirk Council Local Development Plan 3 Call for Evidence](#) or email ldp@falkirk.gov.uk.

Local Heat & Energy Efficiency Engagement tool

Decarbonise Falkirk is a project from Falkirk Council in place to support the local communities on their journey towards a low carbon Falkirk. As Scotland's approach to energy is changing, we want to make it easier for people to find help, advice and support relating to energy efficiency improvements.

In order to reduce emissions, changes need to be made in the way we use, occupy and prioritise energy consumption in our buildings. Falkirk Council will be working with the local communities to produce a Local Heat & Energy Efficiency Strategy, outlining how Falkirk will decarbonise heat in buildings across the council area.

Take a look at this [map of Falkirk](#) to see how you can make a difference. You will find energy-saving tips and access to funding opportunities to assist with the path to a carbon-friendly Falkirk.

Private Sector Team Update

Areas of Business

Landlord Registration, Property Condition, Advice and Support, Private Sector Leasing, Care & Repair, Scheme of Assistance and Factoring

Landlord Registration 2022/23

- Current no. of landlords: 4,797
- Current no. of properties: 6,299
- 53 expired landlords (40 late fees)
- 164 unregistered landlords
- 1 Rent Penalty Notice

Prescribed Information

Repairing Standard checks - 2022/23:

- 153 requests
- 34 requests with HPC - 12 currently active, 22 closed

Addressing Property Condition issues 2022/23

We use Action Plans to work with landlords to address a range of ongoing issues. These can include:

- Repairing Standard complaints
- Where a landlord does not carry out a highlighted repair
- Where multiple complaints are received about property condition and/ or management practices
- 31 open Action Plans, 73 closed

For further information, please visit our [Private Housing](#) and [What's new in the Private Sector](#) pages.

Extension of Tenant Protection Legislation

The Cost of Living (Tenant Protection) (Scotland) Act was introduced in October 2022 as a response to the emergency situation caused by the impact of the cost-of-living crisis on people who rent their home in Scotland.

The legislation imposed a temporary 0% cap on rent increases, a moratorium on evictions (subject to exceptions, such as in the cases of antisocial or criminal behaviour) and an increase to the damages awarded in cases of unlawful evictions.

While the original measures were expected to end on 31 March 2023, from 1 April 2023 the rent cap was set at 3% for private landlords. It applies to most tenancies in the private rented sector, including Private Residential Tenancies, the majority of assured tenancies and short assured tenancies.

In certain circumstances, a landlord may apply to Rent Service Scotland to increase the rent for a property in order to take account of increase in property costs. If upheld, the rent cap in these circumstances will be set at 6%.

These measures have been extended to 30 September 2023, with the option to extend for another six-month period if required.

The eviction moratorium in the private sector has also been extended until 30 September 2023, with the option to extend the ban for another six-month period if required. The moratorium does not apply in circumstances where the tenant has engaged in antisocial/criminal behaviour, the tenant has abandoned the property, there are substantial rent arrears, the property is to be sold by a lender, or the landlord needs to sell or live in the let property due to financial hardship.

For additional information, please visit the [Scottish Government Cost of living: rent and eviction](#) factsheet and [Emergency protections for tenants extended](#) page.

Tenant Financial Support Information

It is important to consider all avenues of support if your tenants are struggling due to the rising cost of living. There is a wide variety of financial, emotional support and relief resources available to the private sector tenants.

For additional information on available support, please visit our [Renting privately: financial and practical support](#) page, our [Cost-of-living support](#) page and the [Scottish Government's Cost of Living Support](#) page.

Regulation of EPC Standards - Upcoming Changes

Energy Performance Certificates (EPCs) provide an indication of how energy efficient a building is and provide advice on how the building's energy efficiency can be improved. Buildings are rated from A (very efficient) to G (inefficient).

Building owners are legally required to provide an EPC on construction, sale, or rental to a new tenant and are valid for 10 years from the date of issue. EPCs must be obtained from an [approved domestic energy assessor](#).

In line with the Heat in Buildings Strategy approach to the net zero emissions heating systems, the Scottish Government currently plans to introduce a minimum energy efficiency standard requiring all private rented sector properties to reach a minimum standard equivalent to EPC C at change of tenancy by 2025, where technically feasible and cost-effective. All remaining private sector properties will be required to reach EPC C standard by 2028.

For further information, please visit the [Scottish Government Energy efficiency](#) factsheet.

Privacy Statement

The council must comply with Data Protection Legislation as defined by the Data Protection Act 2018. If you supply personal information to us you can find out how we handle personal data at www.falkirk.gov.uk/privacy

If you would like this information in another language, Braille, LARGE PRINT or audio tape please contact the Private Sector Team.

If you have any queries regarding this newsletter, please contact the Private Sector Team:

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