

## **Private Housing (Tenancies) (Scotland) Bill**

### **Written submission to the Infrastructure and Capital investment Committee**

#### **Anonymous**

We are a couple in our sixties and seventies living in the south of Scotland. In August 1983, we moved into a rural estate house as a private let. In 1989, this house became subject to a Regulated Tenancy as defined by the Rent (Scotland) Act 1984.

We are writing to alert the Committee to our concerns that the Private Housing (Tenancies) (Scotland) Bill could supersede our Regulated Tenancy. This gave us a security of tenure which we have enjoyed for the last thirty years. As a result of our Regulated Tenancy, we improved the house – we put in central heating, a garden – we treated the house as our own.

Our house is on an estate – the bulk of which has been sold since we moved here, although we have retained the same landlord throughout. Most of the property apart from our own has been vacated with tenants being evicted. Only our Regulated Tenancy has protected us from eviction. However, we agreed after considerable pressure from the landowner to move to a smaller property on the estate to facilitate his sale of the original property - retaining the same Regulated Tenancy.

The 2014 SPICe briefing on the Housing (Scotland) Bill notes:

Older private sector tenancies, known as regulated tenancies, are regulated under the Rent (Scotland) Act 1984 (the “1984 Act”). Regulated tenancies provide security of tenure and control over rent levels and must be registered with Rent Service Scotland. There are about 6,000 of these in existence in both the private and social rented sector (Policy Memorandum (para 109).

Many of the 6000 people who enjoy this secure of tenure will be older like us and it would be extremely difficult for them to move at their stage of life, presuming they could even find appropriate accommodation. Many of these people will not even know they have a Regulated Tenancy and as a consequence submissions to this effect may be thin on the ground.

We note from the SPICe Executive Summary of the forthcoming Bill that ‘It is expected that most new tenancies from late 2017 would be private residential tenancies’. We would like an explicit assurance on the face of the Bill that these private residential tenancies would not supersede our Regulated Tenancy which gives us more security.

While we accept that there will be many tenants who will rightly benefit from the new private residential tenancies, and welcome that, we would like to emphasise that we would be disadvantaged if this was imposed on us. A private residential tenancy would give inordinate power to our landlord to evict us, which the landlord presently does not have.

**November 2015**