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James Dornan MSP  
Convener  
Local Government and Communities Committee  
Scottish Parliament  
EDINBURGH  
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26 March 2020

Dear James

On 11 March, Parliament approved the Energy Efficiency (Domestic Private Rented Property) (Scotland) Regulations 2020, following scrutiny by the Local Government and Communities Committee. These regulations aim to improve the energy efficiency of private rented housing and they prohibit the letting of properties with new tenancies that fall below the minimum energy efficiency standards from 1 October 2020. They were due to come into force on 1 April 2020.

However, given the current COVID-19 crisis, I have reluctantly taken the decision not to make these regulations.

I am aware this is an unusual step, but these are very unusual and fast-moving times. I believe this decision is necessary and I set out my reasons here.

The regulations place new duties and responsibilities on local authorities. Between 1 April and 1 October 2020, local authorities would be required to develop a system for registering exemptions and to be ready to support landlords and enforce compliance. If introduced at this time, these duties would place a burden on them which would be detrimental to their necessary focus on frontline emergency responses to the COVID-19 crisis, and their delivery of vital services and support to vulnerable people.

In addition, the regulations may require many private housing landlords to undertake energy efficiency works to their properties over the coming months, in anticipation of tenancy changes from 1 October 2020. This risks encouraging landlords to try and get work done in tenants' homes when medical and government advice continues to mandate social

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distancing measures. Contractors and installers will also not be able to undertake non-emergency work within people's homes for the foreseeable future.

For these reasons, I firmly believe it would be unwise to bring the regulations into force from 1 April as planned. I can assure you that I will push forward with the vital work of improving energy efficiency in private rented housing as soon as the current COVID-19 situation comes to an end.

I have also written in these terms to the Presiding Officer.

Kind regards

A handwritten signature in black ink, appearing to read 'Kevin Stewart', with a long horizontal flourish extending to the right.

**KEVIN STEWART**

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