



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITION NO.

PE01778

Name of petitioner

David Findleton

Petition title

Review the Scottish Landlords Register scheme

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to review the effectiveness of the Scottish Landlords Register scheme.

Action taken to resolve issues of concern before submitting the petition

1. Raised issues with Kenneth Gibson MSP
2. Submitted complaint to Minister for Local Government, Housing and Planning, Kevin Stewart MSP (18th November 2019)

Petition background information

It is my view that the Scottish Landlords Register scheme is not fit for purpose.

There are three deeply concerning issues to the Scottish Landlord Register and the Scottish Government's general guidance for Local Authorities to administer and manage the Private Landlord Registration Scheme, 'Registration of Private Landlords : Guidance for Local Authorities', (published 9th October 2009), which I believe leaves the entire scheme open to abuse, and therefore not fit for purpose.

Firstly: Contrary to what is set out in The Scottish Landlord Register that when a prospective or renewal Landlord applies for a Landlord Registration, other than it is brought to the relevant Authorities attention, there will be literally no scrutinisation as to who that person is and no investigation to determine if they are a 'fit and proper person' to hold a Landlords Registration, therefore relying solely on the Applicant to be honest in what information they may decided to disclose and no matter what the persons background or history they will be virtually certain to be granted a Registration.....Conclusion, no vetting, no scrutinisation, no checks whatsoever, no deterrent to comply, in effect no regulation.....not fit for purpose!

Secondly: Contrary to what is set out in The Scottish Governments Guide for Private Landlords, regarding a Landlords responsibilities and legal obligations in respect of gas, electricity, carbon monoxide and other safety requirements that apertain to their

rental property.....there are no checks carried out by any relevant Authority, other than if it has been brought to their attention.....Conclusion, no deterrent to comply, in effect no regulation.....not fit for purpose!

Thirdly: It is stated and emphasised within The Scottish Government-Registration of Private Landlords : Guidance For Local Authorities 9th October 2009, "Ministers are clear that registration should be a 'light touch' process. It is recognised that the majority of Landlords do provide a good service and that many might leave the market if regulation is perceived as too onerous or expensive" (emphasis added).

However, it is extremely worrying and concerning that it is possible for Local Authorities to take their own interpretation of the 'light touch' process to the extreme in order to accommodate either incorrect or non registered Landlords, which then allows them to continue letting property on a long term basis without a legally required Landlord RegistrationConclusion, this undermines the entire Scottish Landlords Register Scheme, as the interpretation of the 'light touch' process appears to be non specific and is free from any accountability, this in turn, openly allows the Authorities to stretch it as far as it deems fit.....wide open to abuse and therefore no deterrent.....not fit for purpose!

In conclusion and in my opinion, the basis of The Scottish Landlord Register is very sound, however, there appears to be far too many loopholes that allow both rogue landlords and Local Authorities to undermine its purpose and its very existence. I believe an urgent review is required in order to examine and consider the serious issues and loopholes which I have raised in the above and if any of them are found to be valid I would request that the necessary steps be taken in order to tighten them up. I truly believe this would be to the benefit of The Scottish Landlord Register Scheme and would without doubt help drive up the standards of the Private Rented Sector.

Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/PE01778>

Related information for petition

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NO

How many signatures have you collected so far?

2

Closing date for collecting signatures online

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