

## **Landlord Registration**

Since April 30<sup>th</sup>, 2006 it has been compulsory for landlords to register with the Scottish Executive. The requirement for this is outlined in the Antisocial Behaviour etc. (Scotland) act 2004 in parts 7 and 8.

### **The Principle**

The purpose is to ensure you are a fit and proper person to be a landlord and to make landlords responsible for their tenants thereby creating social responsibility. As a responsible landlord you will undertake to adopt fair and reasonable measures throughout your tenancy. These will ensure you provide fit and habitable accommodation and also to allow for policing of your tenants guiding them when they are found to act in an inappropriate manner, taking actions to encourage their good behaviour.

### **Fit And Proper Person To Be A Landlord**

To be a fit and proper person to be a landlord you must not have committed any offence involving fraud, dishonesty, violence, drugs, or practised discrimination.

Account will also be taken if you are found to have contravened any provision of laws relating to housing, or landlord and tenant law, and also by your actions, or failure to act, in relation to any antisocial behaviour affecting a house let or managed by you, taking account of the fact and nature of any agency arrangement.

### **Tenancy Requirements**

Landlords are required to ensure their accommodation is to a good habitable standard and maintained as such. The tenancy agreement must be fair, approved and accepted by the local authority. There must be provision for control within the tenancy.

You are required to take action in the event you are notified of improper behaviour of your tenants by following a procedure for notification and guidance. You will be seen as in contravention of the law should you fail to act in this respect. This may seem a little harsh since you are not provided with real tools to enforce your warnings other than recover your property at a juncture as defined in the Housing (Scotland) act 1988. It is sufficient however that you follow procedures and record you have done so to comply.

### **Your Agent - Broughton Property Management**

By appointing us as your agent your property benefits from accreditation and will be seen as being subject to responsible management. This includes having a lease that is accepted as being fair and as your agent we provide a point of contact that both tenants and fraught neighbours can use.

### **Where Do You Register**

Visit **[www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk)** the registration website set up your account and enter the appropriate details that ensure you are a suitable person to be a landlord. It is also the site that enables neighbours that have being struggling to deal with unruly tenants can find out contact details of you, the landlord. You can also apply through the local council to Landlord Registration, City of Edinburgh Council, Environmental Health, Chesser House, 500 Gorgie Road, Edinburgh, EH11 3YJ.

### **Registration**

You can register yourself providing the requested information and fee. You will require our registration number and that is 00483/230/08160, or alternatively, we can submit the registration for you. Unfortunately, that requires additional administration which is outside of our normal remit and for which we charge a fee of £20.00 + VAT (£23.50).

Should you require us to submit the application on your behalf please complete the attached form and return it to us either with your cheque for the total amount or if you are an existing landlord we can deduct the fee costs from your rental income.

## **The Payment**

As you may have guessed, the Scottish Executive also charges a fee that currently is:

- £55 for the main applicant
- £11 for each property
- £55 for each agent who has not registered or applied for registration separately.

Joint owners of a property should nominate a 'lead owner' who will pay both the principal fee and the property fee(s) for each jointly owned property. Joint owners other than the lead owner are exempt from paying those fees but only for jointly owned properties. They are responsible for registration fees for any other properties owned by them independently.

No principal fee is required for anyone who holds an HMO licence from the relevant authority, or is accredited with a scheme approved by that authority.

The authority where the full fee is charged is the authority where the applicant has the greatest number of properties, or the first authority entered if the number of properties is equal. The discount for additional authorities only applies when a group of applications is paid for at one time. If you choose not to pay for all your applications together, it will cost more.

- There is a 10% discount on the total amount, for applications made online.
- There is a 50% discount for applications made to multiple authorities.
- There is a 100% discount on the total amount for registered charities.

There is no additional fee for including Broughton Property Management as your managing agent when registering. *Please check with your local authority if using another agent.*

## **Example of Charges**

If the local authority has to contact you twice to remind you to apply for registration, they may apply a late application fee. This means you will pay £110 on top of what you would have paid if you had applied promptly.

The system will calculate the amount due, based on the information you have entered. If you claim a discount to which you are not entitled, you will be asked to pay the outstanding amount. It is an offence to knowingly provide false information.

A landlord who owns one house in each of two local authorities, and applies online:

Principal fee, authority 1	£55.00
House in authority 1	£11.00
Sub total	£66.00
Online discount, 10%	£6.60
Total	<u>£59.40</u>

## **Application for Landlord Registration by Broughton Property Management**

### **Information Request Form**

Please only complete and return the following application information forms if you require Broughton Property Management to submit your application for registration. The information given will be used solely for that purpose. If there is more than one landlord responsible for the property or the property is owned by a company we will require details of each individual and in the case of a company or partnership, all the directors or partners. Multiple copies may be made of this form as required. Please read the notes below in association with the forms. Additional information can be provided on additional pages.

### **Notes to help complete form**

1. You must provide details of any addresses you have lived at for a period of at least five years.
2. This information will be discovered following a search by the police and if not disclosed may cause your application to be rejected. The following are to give an indication and guide to the extent of the search.
  - a. Discrimination:
    - i. the Equal Pay Act 1970
    - ii. the Sex Discrimination Act 1975
    - iii. the Race Relations Act 1976
    - iv. the Disability Discrimination Act 1995
    - v. the Employment Equality (Sexual Orientation) Regulations 2003
    - vi. the Employment Equality (Religion or Belief) Regulations 2003
  - b. Dishonesty
    - i. Fraud
    - ii. Theft
  - c. Violence including Anti-social behaviour orders
  - d. Contravention of housing laws
  - e. Drugs
3. This information will be discovered following a search by the local authority and if not disclosed may cause your application to be rejected.
4. If the properties for which you are a landlord are jointly owned e.g. in an investment partnership or company etc. then please copy this form and submit the information requested for all involved as landlords or co-landlords. For companies please put the company name into [Other Names] and the Co. registration number below, similarly for charities. The registered address should be provided.
5. Where the named landlords are directors, partners, spouse, etc. please advise the relationship or position in the company. For each named person we require a separate completed application form in their name.
6. We require each applicant to sign a copy of the declaration form against each statement signifying acceptance and also the release as required per the Data Protection act that it is with your agreement we may use the information you have provided for the purpose of registering.
7. Please confirm if you want the fees paid for registration together with our own charged to your property(s) rent account or if you intend to pay by other means. NB credit card payments are subject to a 3% surcharge.
8. You may opt not to allow the information provided to be shared among authorities however this may result in you being asked for additional information.
9. HMO landlords are passported to landlord registration and do not apply separately, however we require your password and username to register further properties for you.
10. Current accreditation for authorities conducting a 'fitness' test may result in a reduction of the fee payable. Edinburgh Landlord Accreditation does not comply.

**It is a criminal offence to give false information or fail to give information required in an application for registration.**

<b>Applicant(s) Details</b>			
Title _____	First Name _____	Family Name _____	
Other Names _____		Any previous names _____	
Date of Birth        /        /	Place of Birth _____		
Home Address <input type="checkbox"/>	Time at address _____ Yrs _____ Mths		
Postcode _____			
Home Address <input type="checkbox"/>	Time at address _____ Yrs _____ Mths		
Postcode _____			
Home Address <input type="checkbox"/>	Time at address _____ Yrs _____ Mths		
Postcode _____			

<b>Have you any unspent convictions?</b> <input type="checkbox"/>		Yes / No	
Please provide details:		Court/Tribunal	Date
_____		_____	_____
_____		_____	_____
_____		_____	_____
<b>Have you ever been refused a licence or had a licence revoked?</b> <input type="checkbox"/>		Yes / No	
Please provide details:		Organisation	Date
_____		_____	_____
_____		_____	_____
_____		_____	_____
<b>Have you any HMO and/or properties?</b> <input type="checkbox"/>		Yes / No	<b>Are you already registered?</b> Yes / No
Please provide addresses:		Authority	Reg No
_____		_____	_____
_____		_____	_____
_____		_____	_____
Password <input type="checkbox"/>	_____	Username <input type="checkbox"/>	_____
<b>Are there any associated joint owners?</b> Yes / No		Number	<input type="checkbox"/>
Please provide names in full:		Date of Birth	Relationship <input type="checkbox"/>
_____		_____	_____
_____		_____	_____
_____		_____	_____

Property information associated with the landlord application			
Have you any existing accreditation? <input type="checkbox"/>		Yes / No	
Organisation		Reference No	Local Authority
Password 9			Username 9

Please list below all properties for registration (additional copies can be made if required)

Rental Address <input type="checkbox"/>	_____	Rental Address <input type="checkbox"/>	_____
_____	Postcode _____	_____	Postcode _____
Rental Address <input type="checkbox"/>	_____	Rental Address <input type="checkbox"/>	_____
_____	Postcode _____	_____	Postcode _____
Rental Address <input type="checkbox"/>	_____	Rental Address <input type="checkbox"/>	_____
_____	Postcode _____	_____	Postcode _____

### Declarations <sup>6</sup>

Name in full of applicant (Please print clearly) \_\_\_\_\_

I declare that I comply with all legal requirements relating to my letting of houses. \_\_\_\_\_

I agree that each local authority to which I am applying may use other information it holds about me to determine whether I am a fit and proper person to act as a landlord, or to act for a landlord, in terms of the Antisocial Behaviour etc. (Scotland) act 2004.

I agree that the local authorities to which I am applying may share relevant information they hold about me with one another, to help those authorities determine whether I am a fit and proper person to act as a landlord, or to act for a landlord, in terms of the Antisocial Behaviour etc. (Scotland) act 2004.

I declare that the information provided is correct to the best of my knowledge. \_\_\_\_\_

I hereby confirm that the information provided on this application may be held by Broughton Property Management and that they may create a website account on my behalf and by using the information given submit my application to become a registered landlord. \_\_\_\_\_

I accept that the information provided will be transmitted over the internet using a secure connection and that Broughton Property Management will use all means possible to maintain that security however should any of the detail be released to unauthorised parties Broughton Property Management will not be held responsible or liable for damages. \_\_\_\_\_

I request that payment of all costs are deducted from my rent account

I have made payment by cheque/card

Please tick box to confirm method for payment <sup>7</sup>

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