

Renting *in Scotland*

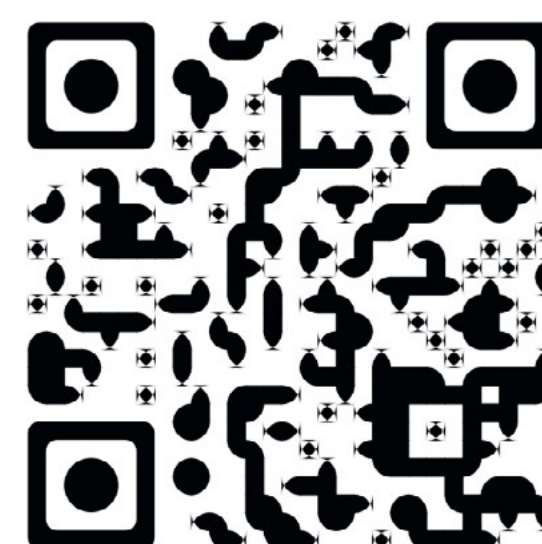


Introduction

This is a guide for students who are renting property whilst studying at the GSA. It explains a little about the renting sector in Scotland, what you can expect when renting property, and some rules and regulations you need to be aware of.

For advice on finding property to rent in Scotland, we recommend you consult our 'Finding Accommodation Guide' along with our 'Cost of Living Guidance'. These can be found on the Student Support section of the Student Intranet under Student Welfare and on the Pre-enrolment Gateway. If you are already renting, but have encountered issues with your tenancy, you can also look at our 'Encountering Problems with Private Accommodation' guide which has general guidance and links to useful resources and organisations who might be able to help. Please contact Student Welfare with any specific accommodation concerns.

welfare@gsa.ac.uk



Tenancy types

**Moving into existing shared flats
and subletting**

Living with your landlord and lodging

Deposits and guarantors

Estate and letting agencies

**Safety regulations in Scotland for
rented accommodation**

Bills in rented accommodation

Scams

Tenancy *types*

There are a variety of different types of private rented accommodation. They can include living as a lodger, renting a room within a House of Multiple Occupancy (HMO), renting a whole flat/house together with someone or a group, or renting a place to yourself.

Whichever option you choose, you should be given a tenancy. The law requires landlords to provide their tenant(s) with all the written terms of their tenancy agreement. Having a tenancy means the rights and responsibilities for both tenant and landlord are clearly set out. You should always read and understand the tenancy before signing it.

In Scotland, tenancies are known as Private Residential Tenancies, and the Scottish Government has set out a 'Model Tenancy Agreement'. It could be helpful to check the tenancy you are signing is similar to this. If you started renting your flat before December 2017, it is possible that you will have a Short-Assured Tenancy which has different rules attached to it.

A full overview of different types of Tenancy is available on the [Scottish Government website](#).

If you are unsure of anything to do with the tenancy or contract that you are given discuss this with the landlord or letting agent. It is also a good idea to ask someone independent for advice, such as a parent, or relative. You could also seek support from Student Welfare welfare@gsa.ac.uk or [Shelter Scotland](#).

Landlord *Registration*

All landlords letting properties must be registered with Glasgow City Council, unless they are letting a room in their own home. Check with www.landlordregistrationscotland.gov.uk and do not take out a tenancy with an unregistered landlord.

HMO *(House of multiple Occupancy)*

An HMO is a property that is shared by three or more tenants who aren't members of the same family. All properties housing three or more people who are unrelated must be licensed as a House in Multiple Occupancy (HMO). Landlords should be able to provide information about this and show proof of the property having a license. Check with [Glasgow City Council Houses in Multiple Occupation \(HMO\) - Glasgow City Council](#).

HMO's exist to ensure the safety of the people who live within the flat and it is important if you are living with three unrelated people in a flat or house that the property has an HMO license.

Who should be on *the tenancy?*

If you live within a House of Multiple Occupancy (HMO), each person may be able to have a separate tenancy agreement. In this scenario each person would essentially rent their room separately. This can be beneficial in that it clearly defines your monthly rent and responsibilities, and you should not need to change your tenancy with any changes to flatmates.

In other cases, there will be one tenancy for the whole flat or house. If this is the case, each tenant should be named, so there is a collective responsibility. We do not advise that only one of the tenants signs the Tenancy for a flat on behalf of all flatmates as that tenant would then be solely responsible for the rent and any issues arising during the tenancy.

**Moving into
an existing
flat share
*and subletting***

In some cases, your group will find a flat together but sometimes students move into a flat that is already being rented by a group of people who have taken out a tenancy.

This type of arrangement is growing in demand. There is an increased use of apps such as Spare Room and rooms may be advertised on social media, through group chats and word-of-mouth. This can be a good way to find somewhere to live however it also requires some extra considerations to make sure you are getting a fair deal and complying with tenancy requirements.

In most people's tenancy agreements, there will be a rule against sub-letting. Subletting is where the existing tenant(s) rent a room to someone else without the landlord's involvement. This can lead to eviction or other issues for all of you, so it is important to understand if the landlord has knowledge of you moving in to the property and if you will be joining the tenancy.

If you are moving into a shared house, make sure to find out what type of arrangement you're moving into, some examples of things to find out are:

- If the landlord knows and has given permission
- Whether or when you will join a tenancy or be given your own tenancy agreement
- If there is an HMO license
- Who the landlord is and their Landlord Registration
- What the arrangements are for bills and how you will contribute toward this
- What space is yours and what is shared
- The lifestyle of the current tenants and whether you think you will get on with them and enjoying living in the home.

Moving into an existing flat share and subletting

Living with your landlord *and lodging*

In some cases, someone living in the property, will be the homeowner (or landlord), and you rent a room from them. This is known as being a 'Lodger'.

If this is the case, they should treat you fairly and with respect. The home should be safe and practical to live in as a tenant. Discuss all important factors up front, such as bills, furnishings and lifestyle, and ask to be given a contract.

Visit the following for more information.

- [Your rights if you live with your landlord - Shelter Scotland](#)
- [What rights do lodgers have? - Citizens Advice](#)

**Living with your landlord
and lodging**

Deposits *and guarantors*

When you move into rented accommodation, landlords or letting agents ask for a deposit. This acts as a guarantee against any damage, cleaning, unpaid bills or rent. The deposit is usually equivalent to one month's rent but can be higher. It must not be more than two months rent.

Always get a receipt when you pay your deposit and check this is put into a government-authorised Tenancy Deposit Scheme. Find out more about [paying a tenancy deposit](#) on the Shelter Scotland website.

There are rules around what can and cannot be charged for a deposit. For more advice visit [Shelter Scotland's pages on paying deposits in Scotland](#).

Guarantors or 'UK Guarantors'

It is likely that students will be asked for a [Guarantor](#) as part of the application process for a tenancy. Usually this needs to be a home-owner, with steady income and a good credit score. We recommend students have a conversation with parents, guardians or other responsible adults in advance of searching for accommodation to find out if they could be your Guarantor.

This can be a problem for International or EU Students who do not have families living in the UK, as being UK based is usually a requirement for being a Guarantor.

If you do not have a UK Based Guarantor, you may still be able to rent a property, but you may need to make other arrangements. If you do not have a UK based guarantor, it is advisable to discuss this with the landlord/letting agent to discuss alternatives. Instead, students sometimes pay multiple months rent upfront, for example 3 or 6 months, to cover the cost of the Tenancy. In Scotland, you can pay up to 6 months' rent in advance but cannot pay more than this.

There are private companies which provide a Guarantor service to EU/International students for a fee. This is another solution for those without a UK Based Guarantor. The costs of these services can be high.

Examples of some of these services include [Housing Hand](#) and [UK Guarantor](#).

Please note that the GSA is unable to endorse these companies, and cannot act as a Guarantor for students.

Deposits and guarantors

Estate Agents or *Letting Agents*

Estate Agents or Letting Agents are private companies that work between tenants and private landlords. They help landlords manage their properties, help tenants find rental accommodation, collect rent and help organise any repairs.

All letting agents operating in Scotland must comply with the Letting Agent Code of Practice. The Scottish Government has a [guide for tenants](#) with information on letting agent regulations.

In the past Letting Agents were able to charge additional fees to prospective tenants for administration or holding fees. The laws have changed and agencies should no longer be charging a fee except for the deposit and the rent. If you are asked to pay extra fees, please check before you pay. You can contact welfare@gsa.ac.uk or speak to someone you can trust for additional help.

Letting agents must have a written complaints procedure for handling complaints and they must make that available to their customers. If you have any issues with a Letting Agent during your tenancy, you can get advice from [Shelter Scotland](#) or get in touch with welfare@gsa.ac.uk. The GSA has a guide for students encountering issues with their landlord or tenancy which you can find on the welfare pages of the Student Intranet.

Estate Agents or Letting Agents

Safety
regulations
in Scotland
for rented
accommodation

Fire Alarms *& Fire Safety*

All rented accommodation must be fitted with adequate heat and smoke alarms which are present in specific areas of the home and interlinked. [Shelter Scotland's advice on Fire safety in your home](#) has information on the legal requirements around smoke and heat alarms in rented accommodation.

Gas & Electric *Safety*

There are rules on how often gas and electrics must be checked and tested in rented property.

Gas safety checks must be done once per year, and a certificate must be issued. Shelter Scotland has advice on [gas safety in your home](#) including your landlord's responsibilities to undertake annual gas safety checks.

Electrics should be checked every 5 years, or 3 years if you live in an HMO. [Shelter Scotland has advice on electrical safety in your home](#) and your landlords' responsibilities to test and maintain electrics.

Personal Safety

Locks & Property Safety

People can be very different in how they like to live and feel safe at home. It is very important you feel comfortable and live in a safe home. In addition to the things mentioned such as tenancies, fire, gas and electric safety, make sure you check anything further you feel you may need.

This could be:

- Checking the condition of door and window locks, and the main entrance to your building
- Check whether your bedroom has a lock or if you can get one if you want one
- Ask how many people access the property regularly and how frequently a landlord expects to visit.
- Maintenance and condition of communal spaces such as shared hallways and stairways, bin and refuse areas.

Bills in rented *accommodation*

Gas & Electricity

In most private rental properties, you will need to pay for these separately to your rent. Once you have moved in, you must register with the company who supplies your energy. These are private companies, and you can ask your landlord who the current supplier is or check online. You then pay your bills to the provider.

Energy prices have risen drastically over the past year and may continue to rise. We recommend all students research online about current prices, discount schemes and discuss with flatmates how best to manage bills.

- [Energy Advice Scotland](#)
- [Home Heating Advice Scotland](#)
- [Citizens Advice Scotland - Energy Pages](#)
- [Money Saving Expert - Gas and Electricity](#)

TV Licence

If you watch live Television or the BBC in the UK, you must buy a TV License. The current cost is £159 per year. You can find out if you need one and pay for this online:

- [Do I need a TV Licence? - TV Licensing](#)

**Bills in rented
accommodation**

Phone and Broadband Connection

It is likely you will need to arrange this separately to your tenancy. This is a commercial product in the UK so you can select from a number of providers. When choosing a contract, check the details such as contract length, speed and any planned price increases.

Insurance

The landlord will have insurance to cover the property, however you may want to take out additional contents insurance. This is to insure your belongings within the property, and may be especially necessary if you have any expensive equipment. There are a number of companies in the UK who offer contents insurance, including some who specialise in insuring students.

Water

In Scotland, this is paid within your Council Tax, so if you receive Council Tax exemption, this will not be an extra cost.

**Bills in rented
accommodation**

Council Tax

In the UK, residents pay a tax each month to their local council known as Council Tax. This is intended to pay toward public costs and there are different 'bands' depending on your neighbourhood and property.

Full-time students are eligible to apply for a Council Tax exemption. Students must apply through the Glasgow City Council Website for this exemption. Please visit Glasgow City Council's website to complete this [Student Exemption or Discount - Glasgow City Council](#).

There is additional information about what you need to do to apply for exemption on the [Academic Registry pages on the Student Intranet](#).

If you are a part-time student or living with other non-students, you can become liable for Council Tax. Please visit the [Glasgow City Council website](#) for information on what to do. You may be able to apply for a low-income or single-person discount.

**Bills in rented
accommodation**

Scams

Unfortunately, across the UK there has been an increased number of scams that occur around renting property, with students a frequent target. Property Scams involve a fraudster taking advantage of those looking for property and trying to trick or scam people out of money or important documents like their passport.

Students need to be vigilant to potential scams when searching for accommodation. Known scams have included taking money in advance for properties which do not exist; asking students to pay via Air BnB; sending a 'unique' links for payments; or posing as the landlord when this is not in fact the case to fraudulently obtain money or personal information.

**Bills in rented
accommodation**

It can be extremely hard for banks to retrieve money and information once sent, not to mention the disruption and stress this causes, so be aware of the risks and take precautions when searching:

- Private advertising sites such as Gumtree or Facebook marketplace are more vulnerable to property scams due to having less restrictions on what is posted on them. Be more vigilant using these sites and treat with suspicion anything which seems inconsistent, concerning or too good to be true.
- Even if adverts appear on reputable websites or look like they come from trusted sources of information, you should be wary, particularly if they ask you to do something unusual or provide information that you would not expect.
- Do not send any money up front. You should not need to pay anything until you have agreed to the tenancy. Do not pay additional fees such as holding fees, admin fees or credit check fees.
- Beware of any messages or emails asking you to follow a link, pay via another service or which ask too many personal questions or for sensitive information.
- Beware if you are asked to wire any money via a money transfer service or make a cash payment.
- Always check your Landlord is registered on the online register for Landlords in Scotland. You can ask the landlord for ID. They should be willing to share this. It can be helpful to also have multiple contact methods to help verify them, e.g. phone, text, email, address.
- Get all of your tenancy paperwork in advance of paying a deposit. Ask for a copy of the tenancy agreement, safety certificates and deposit amount.

Continued on next page.

**Bills in rented
accommodation**

- Be wary of letting a landlord/letting agent take a copy of your ID, passport or visa documents. There is no legal reason for them to hold this information and it is not a legal requirement for agreeing a tenancy under Scottish law.
- Do not agree to rent a property where the landlord says it is being “managed” via Airbnb. If you see a property that mentions Airbnb on a site that is not the Airbnb website, be extremely cautious.

More information and guidance can be found via the Student Intranet and from Police Scotland if you become concerned about anything you are asked to do whilst trying to find somewhere to list, email welfare@gsa.ac.uk for advice and guidance.

**Bills in rented
accommodation**

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