

F&C/24/247: Appendix 1, Housing Scotland Bill Implications

The Housing (Scotland) Bill was introduced on 26 March 2024 and requires Royal Assent. It is expected that Royal Assent will be given at Stage 3.

<b>Housing (Scotland) Bill 2024</b>	<b>Relevant Summary/Extract</b>	<b>What does this mean for Aberdeen City Council?</b>	<b>Next Steps?</b>	<b>Links with Social Determinants of Health</b>
Part 1 – Rent	Duties on local authorities to assess rent conditions in their area, at least once every five years	<p>The Bill provides a framework for rent control. There is still detail to be provided in secondary legislation, such as the method by which rent increases would be restricted, exemptions and circumstances in which rents could increase above any limits.</p> <p>Resources will be required to assess rent conditions. It is widely accepted that the Financial Memorandum associated with the Bill underestimates the required resources for local authorities.</p>	<p>Consideration to be given around the changes that need to be implemented at an operational level to implement and monitor the impact of these duties.</p> <p>Local authorities would be required to assess and report on rent conditions (rent levels and rent increase) in their area.</p> <p>The first assessment of rents must be sent to the Scottish Government by November 2026 (this can be changed by regulations) and then every 5 years.</p> <p>Monitor the Bill as it passes through the various stages of Parliament.</p>	Rent controls may positively impact on the affordability of homes for tenants but so far this has had unintended consequences in that Private Rented Sector rents have increased significantly in both Aberdeen and across Scotland since rent controls were introduced. Affordability of housing as a social determinant of health is well established.
	Powers for Scottish Ministers to designate rent control areas. In rent control areas, rent increases would be	As above.	Monitor the Bill as it passes through the various stages of Parliament.	As above.

	restricted for existing and new tenancies with some exceptions made for new to market properties.			
	Limits on how often rent can increase during a tenancy both in and outside of rent control areas.	No direct impact but may affect the number of landlords who remain in the sector. Data shows there has been an 18.5% reduction in the number of PRS properties since 2019.	Monitor the Bill as is passes through the various stages of Parliament.  Continue to provide support to private landlords through the Private Sector Housing Unit and Private Landlord Support Officer	As above.
	Powers for local authorities to gather information on rents and other information about properties on the private landlord register.	As above – this will have resource implications for Private Sector Housing Unit if the data is to be gathered through Landlord Registration	Monitor the Bill as is passes through the various stages of Parliament.	As above.
Part 2 – Evictions	Places a duty on the First-tier Tribunal for Scotland and the courts to consider whether to delay when an eviction can be carried out. It also changes how damages for unlawful eviction are calculated.	No direct impact but may affect the number of landlords who remain in the sector. Data shows there has been an 18.5% reduction in the number of Private Rented Sector properties registered in Aberdeen since 2019.	Monitor the Bill as is passes through the various stages of Parliament.	Reduction in supply can lead to an increase in rents in the Private Rented Sector which can impact on affordability.
Part 3 – New Rights for Tenants	For private and social housing tenants to request to keep a pet	Private - No direct impact but may affect the number of landlords who remain in the sector. Data shows there has been an 18.5% reduction in the number of Private Rented Sector	Amend Pet Policy in line with the changes.	Pets can reduce stress, anxiety and depression, and can also reduce feelings of loneliness and isolation and encourage exercise.

		<p>properties since 2019. Many landlords do not want to manage the risk that pet ownership brings. Reduction in Private Rented Sector properties can increase rents as part of the economics surrounding supply and demand. Social – ACC have a pet ownership guide and do have some developments that have historically been classified as 'pet ban' This list should be reviewed, and our approach considered. <a href="#">Pet ownership   Aberdeen City Council</a></p>	<p>Monitor the Bill as it passes through the various stages of Parliament.</p>	
	<p>For private housing tenants to make changes to the property they are renting.</p>	<p>No direct impact but may affect the number of landlords who remain in the sector. Data shows there has been an 18.5% reduction in the number of Private Rented Sector properties since 2019.</p> <p>Some landlords are concerned about an 'anti-landlord' attitude in the government and there is a perception that over-regulation, continuing regulatory change (including changes made by the UK</p>	<p>Monitor the Bill as it passes through the various stages of Parliament.</p>	<p>The ability to create a home can have positive impacts on mental health, security and well-being.</p>

		Government to the tax regime for private landlords), and uncertainty are causing private landlords to leave the market with investor confidence in the build to rent market stalling.		
Part 4 – Changes to other matters	Allowing unclaimed tenancy deposits to be used to provide support to private tenants across Scotland	<p>No known direct impact for Aberdeen City Council. The Bill proposes that the fund can be used for the provision of:</p> <ul style="list-style-type: none"> <li>• advice, information or assistance to private tenants in relation to their rights as tenants</li> <li>• other services or facilities that promote or support the interests of such tenants</li> <li>• preventing private tenants from becoming homeless</li> <li>• reasonable administrative costs.</li> </ul>	Monitor the Bill as it passes through the various stages of Parliament.	Not known at this stage but likely to have positive impacts for those who benefit from the fund.
	Changing how a joint private residential tenancy can be ended by allowing a single joint tenant to end a joint tenancy after giving notice to the other tenant(s)	No direct impact but will be of benefit to those experiencing domestic abuse.	<p>Amend Domestic Abuse Policy in line with the changes.</p> <p>Monitor the Bill as it passes through the various stages of Parliament.</p>	Positive impact on mental health, anxiety and well-being as the proposal will allow those fleeing domestic abuse to be able to end a joint tenancy without

				agreement of the other tenant.
	Giving Scottish Ministers the power to convert assured tenancies into private residential tenancies.	No direct impact.	Monitor the Bill as it passes through the various stages of Parliament.	Not known at this stage.
Part 5 – Homeless Prevention	Placing duties on relevant bodies, such as health boards or the police, to ask if an individual is homeless or at risk of homelessness and requires them to take action if they are - the aim being to make homelessness prevention a shared responsibility across the public sector.	<p>There is a challenge in articulating the impact at this time. It may also change over time as public bodies' awareness of this duty increases. The impact across different services within ACC will also be different. There will be a need for staff training/development. The potential initially is for an increased resource within the Housing Options Team to manage what may be an increased surge in referrals from public bodies, as the Act may be interpreted as a duty to refer.</p> <p>Lack of clarity that will have to be explored relating to how a person's journey and interaction with a variety of</p>	<p>Consideration to be given around the changes that need to be implemented at an operational level to implement and monitor the impact of these duties</p> <ul style="list-style-type: none"> <li>• practical/process changes</li> <li>• data gathering</li> <li>• system recording across each different public body</li> </ul> <p>These will need to be implemented and where oversight of these changes will sit – it could route through the established Ending Homelessness Steering Group/OIG given the partners present – but still needs to be discussed and formalised.</p>	<p>Experiencing homelessness has a negative impact on a person's health; people who experience homelessness often also experience difficulties with their mental health and/or substance use. If certain actions detailed in the 2018 Ending Homelessness Together action plan (such as personal housing plans) were developed and progressed as part of the implementation of this Bill these would have a positive impact on the overall health and wellbeing of people experiencing homelessness.</p> <p>The ambition that sits behind this Bill for a cohesive and multi-agency approach</p>

		public bodies will be tracked/captured, and therefore a true understanding of the impact of the introduction of this duty and its application by all bodies.	Monitor the Bill as it passes through the various stages of Parliament.	towards the prevention of homelessness will also promote further development of a holistic person/family first approach to situations, with a focus on addressing the cause of homelessness.
	Requiring local authorities act sooner to prevent homelessness by providing support to households threatened with homelessness up to 6 months before homelessness appears imminent rather than the current 2 months	There will be a need for an increased resource within the housing options team to ensure this additional period allows for a proactive approach to prevent homelessness. Resource will also be required around the development of approach, consideration of introduction of personal housing plans/wellbeing assessments – system changes required for recording.	Monitor the Bill as it passes through the various stages of Parliament.	As above.
	Making social landlords put in place support for tenants if they are overdue on rent due to domestic abuse	Access to support is in place, and a case conference approach already operational if arrears increase which is used to identify any underlying factors that may be contributing to the situation and allow for appropriate support to be considered.	Monitor the Bill as it passes through the various stages of Parliament.	The provision of housing support for tenants experiencing domestic abuse and having difficulties paying their rent, will have a positive impact on the social determinants of health.

	Requiring social landlords to have a policy which sets out how they will support tenants who are at risk of homelessness due to domestic abuse	Domestic Abuse Policy is in place and was recently reviewed - <a href="#">Domestic Abuse Council Housing Policy   Aberdeen City Council</a> .  Policy to be reviewed as the Bill progresses.	Monitor the Bill as it passes through the various stages of Parliament.	The provision and implementation of a domestic abuse policy has a positive impact on the social determinants of health.
Part 6 – Other housing matters	Changing the way mobile home pitch fees are presumed to be calculated so increases follow the Consumer Prices Index (CPI) rather than the Retail Prices Index (RPI)	Not applicable – no mobile pitches provided.	Not applicable.	Not applicable.
	Changing the reporting and consultation requirements in the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019, removing some limits on the operating costs of the Scottish Fuel Poverty Advisory Panel and allowing the Scottish Public Services Ombudsman (who investigates, reports on and helps settle complaints) to share information with the New Homes Ombudsman for the UK.	No direct impact.	Monitor the Bill as it passes through the various stages of Parliament.	The impact of living in cold, damp homes is well documented. Those on lower household incomes are more likely to be at risk of fuel poverty, contributing to social and health inequalities.