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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 58**

**HOUSING**

**The Private Residential Tenancies and Assured  
Tenancies (Prescribed Notices and Forms) (Temporary  
Modifications) (Scotland) Regulations 2023**

*Made* - - - - *28th February 2023*  
*Laid before the Scottish*  
*Parliament* - - - - *2nd March 2023*  
*Coming into force* - - *1st April 2023*

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by sections 24(1) and (3), and 53(3) of the Housing (Scotland) Act 1988(1) and sections 22(2)(b), 24(4) and 77(2) of the Private Housing (Tenancies) (Scotland) Act 2016(2) and all other powers enabling them to do so.

**Citation, commencement and expiry**

1.—(1) These Regulations may be cited as the Private Residential Tenancies and Assured Tenancies (Prescribed Notices and Forms) (Temporary Modifications) (Scotland) Regulations 2023 and come into force on 1 April 2023.

(2) These Regulations remain in force until the end of 30 September 2023, subject to the suspension or expiry of section 1 and schedule 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 (“the 2022 Act”)(3) on a different date.

(3) Where section 1 and schedule 1 of the 2022 Act are suspended or expired on a date other than the 30 September 2023, these Regulations remain in force until that other date.

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(1) 1988 c. 43. Section 55(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).

(2) 2016 asp 19.

(3) 2022 asp 10. Section 7(1) provides that Part 1 of the 2022 Act expires at the end of 31 March 2023 and regulations under section 7(3) of the 2022 Act have been laid before the Scottish Parliament to extend the expiry date until 30 September 2023. Scottish Ministers may, by regulations, may subsequently further extend those provisions to expire on 31 March 2024. Section 6(1)(a) provides that the Scottish Ministers may, by regulations, suspend any provision in Part 1. Section 8(1)(b) provides that the Scottish Ministers may, by regulations, bring forward the expiry of any provision of Part 1 to an earlier time as may be specified in regulations.

### **Modification of the Private Residential Tenancies (Prescribed Notices and Forms) (Scotland) Regulations 2017**

2.—(1) The Private Residential Tenancies (Prescribed Notices and Forms) (Scotland) Regulations 2017(4) apply in relation to a landlord’s power to increase rent by giving a rent increase notice to a tenant under section 22(1) of the Private Housing (Tenancies) (Scotland) Act 2016, while this regulation is in force, in accordance with the modifications in paragraph 2.

(2) Schedule 2 has effect as if for it there were substituted the form set out in schedule 1 to these Regulations.

3.—(1) The Private Residential Tenancies (Prescribed Notices and Forms) (Scotland) Regulations 2017 apply in relation to a tenant’s right to refer a rent increase to a rent officer under section 24(1) of the Private Housing (Tenancies) (Scotland) Act 2016, while this regulation is in force, in accordance with the modifications in paragraph 2.

(2) Schedule 3 has effect as if for it there were substituted the form set out in schedule 2 of these Regulations.

### **Modification of the Rent Regulation and Assured Tenancies (Forms) (Scotland) Regulations 2017**

4.—(1) The Rent Regulation and Assured Tenancies (Forms) (Scotland) Regulations 2017(5) apply in relation to a notice of a rent increase under section 24(1) (notice by landlord under section 24(1) of an increase of rent under an assured tenancy) of the Housing (Scotland) Act 1988, while this regulation is in force, in accordance with the modifications in paragraph 2.

(2) The schedule has effect as if for Form AT2 there were substituted the form set out in schedule 3 to these Regulations.

5.—(1) The Rent Regulation and Assured Tenancies (Forms) (Scotland) Regulations 2017 apply in relation to the right of a tenant to refer a notice of a rent increase under 24(3)(a) of the Housing (Scotland) Act 1988 to the relevant rent officer as defined in section 24(9) of the Housing (Scotland) Act 1988 for consideration under section while this regulation is in force, in accordance with the modifications in paragraph 2.

(2) The schedule has effect as if for Form AT4 there were substituted the form set out in schedule 4 to these Regulations.

### **Saving provisions**

6. The modifications made by regulations 2, 3, 4 and 5 do not apply in respect of a form or notice to which those regulations apply which was given or served prior to the coming into force of these Regulations.

St Andrew’s House,  
Edinburgh  
28th February 2023

*PATRICK HARVIE*  
Authorised to sign by the Scottish Ministers

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(4) [S.S.I. 2017/297](#).  
(5) [S.S.I. 2017/349](#).

## SCHEDULE 1

Regulation 2

### RENT-INCREASE NOTICE

#### LANDLORD'S RENT-INCREASE NOTICE TO TENANT(S) UNDER SECTION 22(1) OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016

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This version of this form is in place until such time as section 1 and schedule 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 is suspended or expired.

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Scottish Ministers have temporarily set a cap on the maximum amount by which rent can be increased within a tenancy via the Cost of Living (Tenant Protection) (Scotland) Act 2022. This notice has been updated to take account of the permitted rate (also known as the "rent cap") for the private rented sector. The rent cap is temporary and will remain in place until such time as it is suspended or expired.

Further information on the emergency measures introduced by the Cost of Living (Tenant Protection) (Scotland) Act 2022, including the cap on within-tenancy rent increases, is available on the Scottish Government website: - [www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/](http://www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/)

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**Important information for the Tenant(s) - Please read this notice carefully.**

**Advice** - If you have questions about this notice, speak to your landlord or contact one of the following:

- your local council
- Shelter Scotland
- your local Citizen's Advice Bureau
- a solicitor (you may be able to get legal aid depending on your income)

This notice informs you, as a Tenant, that your Landlord wants to increase the rent for your private residential tenancy. The new rent will start from the date shown in Part 2 of this notice unless you take one of the following actions:

1. Reach an agreement with your Landlord to further delay the rent increase.
2. Can prove that your Landlord did not give you enough notice of the increase.

The new proposed rent amount outlined in Part 2 must not be more than the rent cap set by the Scottish Ministers. If you believe you have been issued with a rent increase notice above the permitted cap, you can refer the rent increase notice to a Rent Officer to confirm whether the proposed rent increase is in line with the rent cap. You must make a referral within **21 days** of receiving this rent increase notice.

If the proposed rent increase is in line with the rent cap, the rent officer will approve the proposed rent increase. If the proposed rent would be an increase of more than the permitted rate, the rent officer will order that the rent payable under the tenancy is increased in line with the permitted rate.

You must complete Part 3 of this form and return it to your Landlord. If you do not do this, the rent increase will start from the date shown in Part 2 of this notice.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**Part 1 – THE TENANT AND THE LET PROPERTY** (this part must always be completed by the Landlord)

Tenant(s) name(s):

\_\_\_\_\_

Let Property (the Tenant(s) address): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Part 2 – THE PROPOSED RENT INCREASE** (this part must always be completed by the Landlord)

This gives you notice that: (name of Landlord(s)) \_\_\_\_\_

\_\_\_\_\_

of: (address of landlords(s)) \_\_\_\_\_

\_\_\_\_\_

proposes to increase your rent from £ \_\_\_\_\_ per \*week/fortnight/4 weeks/month/quarter/year

to a new rent of £ \_\_\_\_\_ per \*week/fortnight/4 weeks/month/quarter/year for your tenancy at the address in Part 1.

The new rent is to take effect from: (insert date) \_\_\_\_\_

The last time your rent was increased was: (insert date (if appropriate)) \_\_\_\_\_

I can confirm that the rent increase is not more than the permitted rate (also known as the “rent cap”) set by the Scottish Ministers.

I confirm that the date the new rent will start from is at least 12 months after any previous rent increase.

Signed: (Landlord/Landlord’s agent) \_\_\_\_\_

Date: \_\_\_\_\_

Address of Landlord’s agent (if appropriate):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**Part 3 – TENANT’S RESPONSE TO THE PROPOSED RENT INCREASE**  
**(This part should be completed by the Tenant(s) and returned to the Landlord. If this isn’t done, the rent increase will take effect from the date shown in Part 2 of this notice)**

To: (Landlord/Landlord’s letting agent): \_\_\_\_\_

From: (name of the Tenant(s)): \_\_\_\_\_

of: (address of Let Property): \_\_\_\_\_

[\*I/We] acknowledge receipt of the rent-increase notice dated \_\_\_\_\_ and give you notice that:

- \*I/We accept the new rent to apply from: (insert date) \_\_\_\_\_
- \*I/We accept the new rent, but have not been given sufficient notice. I/we can provide evidence that I/we did not receive the rent-increase notice until: (insert date) \_\_\_\_\_

Therefore, the rent increase cannot take effect until \_\_\_\_\_ (insert date).

- \*I/We do not accept the new rent to apply from \_\_\_\_\_ (insert date) and propose to make a referral to a Rent Officer to confirm whether the proposed rent increase is in line with the rent cap.

Signed: (Tenant(s)/Tenant’s agent) \_\_\_\_\_

If the tenancy is a joint tenancy all Tenants (or their agents) must sign.

Date: \_\_\_\_\_

Address of Tenant’s agents(s) (if appropriate): \_\_\_\_\_

**If you do not complete and return this part of the form to your Landlord, the rent increase will take effect from the date shown in Part 2 of this notice.**

**This is an important document. You should make a copy for your own records before returning this section to your Landlord.**

[\* delete ‘I’ or ‘We’ as appropriate]

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## SCHEDULE 2

Regulation 3

### REFERRAL BY A TENANT TO A RENT OFFICER

#### TENANT'S RENT INCREASE REFERRAL TO A RENT OFFICER UNDER SECTION 24(1) OF THE PRIVATE HOUSING (TENANCIES) (SCOTLAND) ACT 2016

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This version of the form is in place until such time as section 1 and schedule 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 is suspended or expired.

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Scottish Ministers have temporarily set a cap on the maximum amount by which rent can be increased within a tenancy via the Cost of Living (Tenant Protection) (Scotland) Act 2022. This notice has been updated to take account of the permitted rate (also known as the "rent cap") for the private rented sector. The rent cap is temporary and will remain in place until such time as it is suspended or expired.

Further information on the emergency measures introduced by the Cost of Living (Tenant Protection) (Scotland) Act 2022, including the cap on within-tenancy rent increases, is available on the Scottish Government website: - [www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/](http://www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/)

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#### IMPORTANT: INFORMATION FOR TENANT(S)

You should use this form if you, as a tenant, seeking to refer a rent increase notice to a Rent Officer because:

- Your Landlord has given you a rent-increase notice; AND
- You think the increase may be above the amount permitted by the rent cap.

The Rent Officer will aim to send you the verification letter as soon as practicable.

#### YOU MUST SUBMIT THIS FORM TO THE RENT OFFICER WITHIN 21 DAYS OF RECEIVING THE RENT-INCREASE NOTICE FROM YOUR LANDLORD.

You can fill in this form online. If you are filling in your form by hand, please use BLOCK CAPITALS. If there are boxes to tick, tick only one.

#### Important Information before completing the application form

Rent Officers are independent officers appointed under the Rent (Scotland) Act 1984, who will verify whether the proposed rent increase is within the permitted rent cap.

You should read this referral form carefully and aim to complete it fully (there are notes to help you). If there are any questions that are not relevant to your circumstances, please mark them as 'not applicable' or 'N/A'.

Once you have filled in your referral form please send it to:

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Rent Service Scotland  
2nd Floor  
Endeavour House  
1 Greenmarket  
Dundee  
DD1 4QB

Once you have sent the referral form you must inform Rent Service Scotland immediately if any of the information you have provided changes.

If you would like more information about this process or any help completing this form please phone 0300 244 7000 or email us on [rss.dundee@gov.scot](mailto:rss.dundee@gov.scot).

**Advice** - If you have questions about this referral contact one of the following:

- your local council;
- Shelter Scotland;
- your local Citizen's Advice Bureau;
- a solicitor (you may be able to get legal aid depending on your income).

**Notes to assist you completing the questions on this referral form**

<b>Question 1(a)</b> This is the address of the property where you currently live. We may phone you or send an email, so please give us your current telephone number and email address.	<b>Question 3(a)</b> We need to know how much rent you are paying and how often you pay it.
<b>Question 1(b)</b> If an agent (or another person) acts on your behalf please give us all their contact details, including their address. This can be someone who acts on your behalf to deal with your personal affairs. You must have agreement with this person that they can carry out this role for you.	<b>Question 3(b)</b> We need to know the proposed rent and how often you will need to pay it.
<b>Question 2(a)</b> We need to write to your Landlord so please provide all the necessary contact details, including their address.	<b>Question 4</b> Please provide the necessary documents with your referral and tick the appropriate box(es) that you have done so.
<b>Question 2(b)</b> If an agent (or another person) acts on your Landlord's behalf please give us all their contact details, including their address.	<b>Question 5</b> Please make sure that you (or your agent) sign the form. Failure to do so will make the referral invalid. You do not need to sign the form if you are filling it in online – just enter your name.

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**Question 1 - Tenant's details**

(a) Tenant's Name, Address, Postcode and contact details (telephone number and email address)

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Postcode \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_

Name (if more than one tenant) \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Postcode \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_

(b) Tenant's Agent's Name, Address, Postcode and contact details (telephone number and email address). **For information on who can act as your Agent please see the 'Notes to Assist' section.**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Postcode \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_



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**Question 2 – Landlord’s Details**

(a) Landlord’s Name, Address, Postcode and contact details (telephone number and email address)

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_

(b) Landlord’s Agent’s Name, Address, Postcode and contact details (telephone number and email address).

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Telephone Number \_\_\_\_\_

Email Address \_\_\_\_\_

**Question 3 – Your rent**

(a) How much rent are you paying now?

£ \_\_\_\_\_ per \*week/fortnight/4 weeks/month/quarter/year

(b) What is the new amount of rent?

£ \_\_\_\_\_ per \*week/fortnight/4 weeks/month/quarter/year

\* delete as appropriate

Please attach a copy of the rent-increase notice which you received from your Landlord. This tells you about the proposed new rent.

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**Question 4 – Documents required to support your referral**

When you send your referral to us you should attach copies of documents which the Rent Officer will need to verify the proposed rent increase. You should attach the following:

- (a) A copy of your tenancy agreement
- (b) A copy of the rent-increase notice you received from your Landlord

Any documents which you send with this referral will be sent back to you as soon as possible.

Please tick each box to show that you have attached the relevant information.

**Question 5 – Declaration**

I make a referral to a Rent Officer for a verification of whether the proposed rent increase is in line with the amount permitted by the rent cap for the property at the address shown in part 1(a).

I confirm I have sent Part 3 of the rent-increase notice to my Landlord to let them know that I am referring to a Rent Officer.

I understand that if the Rent Officer determines the rent increase notice is above the permitted rate, the Rent Officer will make an order of an increase to my rent of the permitted rate.

Signed \_\_\_\_\_

\_\_\_\_\_  
(Tenant or Tenant's Agent)

Name in BLOCK CAPITALS \_\_\_\_\_

In the case of Joint Tenants all tenants must sign this form.

Date \_\_\_\_\_

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## SCHEDULE 3

Regulation 4

### FORMAT2: FOR USE ONLY BY A LANDLORD

#### ASSURED TENANCIES

AT2

#### HOUSING (SCOTLAND) ACT 1988

#### NOTICE BY LANDLORD UNDER SECTION 24(1) OF AN INCREASE OF RENT UNDER AN ASSURED TENANCY

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This version of this form is in place until such time as section 1 and schedule 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 is suspended or expired.

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Scottish Ministers have temporarily set a cap on the maximum amount by which rent can be increased within a tenancy via the Cost of Living (Tenant Protection) (Scotland) Act 2022. This notice has been updated to take account of the permitted rate (also known as the "rent cap") for the private rented sector. The rent cap is temporary and will remain in place until such time as it is suspended or expired.

Further information on the emergency measures introduced by the Cost of Living (Tenant Protection) (Scotland) Act 2022, including the cap on within-tenancy rent increases, is available on the Scottish Government website: - [www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/](http://www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/)

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#### **IMPORTANT: INFORMATION FOR THE TENANT(S) - Please read this notice carefully before responding**

This notice informs you as the tenant(s) that your landlord wishes to increase the rent for your assured tenancy.

The new rent will take effect unless you reach an agreement with your landlord that the rent should be a different amount or you can prove that your Landlord did not give you enough notice of the increase. The new proposed rent amount outlined in Part 2 must not be more than the rent cap set by the Scottish Ministers.

If you believe you have been issued with a rent increase notice above the permitted rate, you can refer the rent increase notice to the Rent Officer (part of Rent Service Scotland) to confirm whether the proposed rent increase is in line with the rent cap using form AT4.

If you do refer this notice to the Rent Officer you must do so **within 21 days** of receiving this rent increase notice. If the proposed rent increase is above the permitted rate, the Rent Officer will make an order increasing the rent in line with the permitted rate.

You should give your landlord your response to the proposed new rent by returning Part 3 of this notice to the Landlord.

<p><b>NOTE 1 TO TENANT. YOUR LANDLORD MUST GIVE YOU THE CORRECT AMOUNT OF NOTICE OF A RENT INCREASE APPLICABLE TO YOUR TENANCY.</b></p>
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**Part 1 To**

.....  
(name of tenant(s))

of

.....  
.....  
.....  
(address of tenant(s))

**Part 2.** This gives you notice that .....  
(name of landlord)

of .....  
.....  
.....  
(address of landlord)

proposes to charge a new rent of £ .....  
[per year]\* [per month]\* [per week]\* for your tenancy of the house at the address in Part 1.

The new rent is to take effect from ..... (date)

Signed ..... (Landlord(s)/Landlord's Agent)

Date .....

Address of Agent (if appropriate)  
.....  
.....

\*delete as appropriate.

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**IMPORTANT: FOR THE ATTENTION OF TENANT(S) NOTES 2 TO 4**

2. A LANDLORD MAY PROPOSE A NEW RENT BY THIS MEANS ONLY IF THE TENANCY IS NOT AN EXEMPT TENANCY AS DEFINED BY THE NEW SECTION 23A(6) OF THE HOUSING (SCOTLAND) ACT 1988. IF YOU ARE IN DOUBT ABOUT WHAT KIND OF TENANCY YOU HAVE YOU SHOULD CONSULT A SOLICITOR OR AN ORGANISATION WHICH GIVES ADVICE ON HOUSING MATTERS

3. THE PROPOSED NEW RENT WILL TAKE EFFECT ON THE DATE SPECIFIED UNLESS YOU REACH SOME OTHER AGREEMENT WITH YOUR LANDLORD OR UNLESS YOU CAN PROVE YOUR LANDLORD DID NOT GIVE YOU ENOUGH NOTICE OF THE INCREASE.

4. IF YOU BELIEVE THAT THIS RENT INCREASE WOULD BE IN EXCESS OF THE PERMITTED RATE AND YOU DECIDE TO REFER THIS NOTICE TO THE RENT OFFICER YOU MUST DO SO USING FORM AT4 (OBTAINABLE FROM RENT SERVICE SCOTLAND, CITIZENS ADVICE BUREAU OR HOUSING ADVISORY CENTRE). APPLICATION SHOULD BE MADE TO RENT SERVICE SCOTLAND.

**IMPORTANT: FOR THE ATTENTION OF TENANT(S) NOTES 5 TO 7**

5. YOUR LANDLORD CANNOT INCREASE YOUR RENT BY THIS METHOD MORE OFTEN THAN ONCE EVERY 12 MONTHS.

6. DETACH PART 3 AND RETURN IT TO YOUR LANDLORD AS SOON AS POSSIBLE. HOWEVER IF YOU WISH TO DISCUSS THE PROPOSED NEW RENT WITH YOUR LANDLORD **DO NOT** COMPLETE PART 3 NOW. **BUT REMEMBER** IF YOU DECIDE TO REFER THE NEW RENT TO THE RENT OFFICER OR SEEK TO REACH SOME OTHER AGREEMENT WITH YOUR LANDLORD YOU MUST DO SO WITHIN 21 DAYS OF RECEIVING THIS NOTICE.

7. THIS IS AN IMPORTANT DOCUMENT AND IT SHOULD BE KEPT IN A SAFE PLACE.

**Part 3.** (This part is for the use of the tenant).

To .....  
(landlord/landlord's agent)

\*I/We acknowledge receipt of the notice AT2 dated .....20..... and give you notice that

\*I/We accept the new rent to apply from  
..... 20.....

\*I/We do not accept the new rent to apply from  
..... 20.... and

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propose to refer the matter to the Rent Officer as I/we believe it is above the rent cap.

Signed ..... (Tenant/Tenant's agent)

(If the tenancy is a joint tenancy all tenants or their agents should sign)

Date .....

Address of tenant's agent(s) (if appropriate)

.....  
.....  
.....

\*delete as appropriate.

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SCHEDULE 4

Regulation 5

**FORM AT4: FOR USE ONLY BY A TENANT**

**ASSURED TENANCIES AT4**

**HOUSING (SCOTLAND) ACT 1988**

**Referral of a rent increase notice by a tenant to a Rent Officer under section 24(3) of the Housing (Scotland) Act 1988**

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This version of the form is in place until such time as section 1 and schedule 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 are suspended or expired.

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Scottish Ministers have temporarily set a cap on the maximum amount by which rent can be increased within a tenancy via the Cost of Living (Tenant Protection) (Scotland) Act 2022. This notice has been updated to take account of the permitted rate (also known as the "rent cap") for the private rented sector. The rent cap is temporary and will remain in place until such time as it is suspended or expired.

Further information on the emergency measures introduced by the Cost of Living (Tenant Protection) (Scotland) Act 2022, including the cap on within-tenancy rent increases, is available on the Scottish Government website: - - [www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/](http://www.gov.scot/publications/rent-cap-private-landlord-guidance/pages/summary/)

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**IMPORTANT: INFORMATION FOR TENANT(S)**

This form should be used if you as tenant are seeking to refer a rent increase notice to a Rent Officer for your assured tenancy. This might be as a result of Notice AT2 having been served on you by your landlord (a Notice AT2 proposes an increase in rent for an assured tenancy). You are advised to read this application form carefully. Complete the form as fully as you can. Insert 'NOT KNOWN' where the information is not available. Where boxes are shown tick only one. It would be helpful if you would type your answers or use BLOCK CAPITALS if you are filling in your form by hand.

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**Part 1.** Address of house being let.  
.....  
.....

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**Part 2.** Name, address and telephone number of landlord.  
.....  
.....

Name, address and telephone number of landlord's agent (if any).  
.....  
.....

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**Part 3.** Name and telephone number of tenant(s).

.....

.....

Name, address and telephone number of tenant’s agent (if any).

.....

.....

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**Part 4.** What rent are you paying now?

£..... [per week\*] [per month\*] [per year\*]

If you are responding to a rent increase proposed by your landlord please attach a copy of Notice AT2 which gave notice of the proposed new rent.

\*delete as appropriate

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**Part 5.** I make a referral to a Rent Officer for a verification of whether the proposed rent increase is in line with the amount permitted by the rent cap for the property at the address in part 1 above. I have informed my landlord that I am making this referral. If the Rent Officer determines the rent increase notice is above the permitted rate, the Rent Officer will make an order of an increase to my rent of the permitted rate.

Signed ..... (tenant or tenant’s agent)

Date .....  
(in the case of joint tenants all tenants should sign)

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**Part 6.** In submitting your application you should attach copies of certain documents which the Rent Officer will need to verify the proposed rent increase. You should attach the following:

- a. A copy of the existing tenancy agreement or written document setting out the terms of the tenancy.
- b. A copy of Notice AT2 if one has been served on you by your landlord (including any attachments to that form).



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Any documents which you send with this application will be returned to you as soon as possible.

Tick each box to indicate that you have attached the relevant form.

Please send this application form to the Rent Officer.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations temporarily modify the Private Residential Tenancies (Prescribed Notices and Forms) (Scotland) Regulations 2017 and the Rent Regulation and Assured Tenancies (Forms) (Scotland) Regulations 2017 in response to emergency measures introduced by the Cost of Living (Tenant Protection) (Scotland) Act 2022, which came into force on 28 October 2022.

Regulation 2 and schedule 1 modify the rent-increase notice issued to tenants under the Private Housing (Tenancies) (Scotland) Act 2016.

Regulation 3 and schedule 2 temporarily substitute the form of a tenant's referral of a rent increase notice to a rent officer for the area in which the let property is situated under the Private Housing (Tenancies) (Scotland) Act 2016.

Regulation 4 and schedule 3 temporarily substitute Form AT2 which is required to be issued by a landlord who intends to increase the rent for a tenant of an assured tenancy under the Housing (Scotland) Act 1988.

Regulation 5 and schedule 4 temporarily substitute the Form AT4 to create a route for a tenant's referral of a rent increase notice to a relevant rent officer under the Housing (Scotland) Act 1988.

These Regulations make changes to certain forms and notices in light of emergency measures introduced by the Cost of Living (Tenant Protection) (Scotland) Act 2022, which was subject to a Business Regulatory Impact Assessment. No further impact on business is foreseen as a result of these Regulations. A copy of all impact assessments for the Act can be obtained online at [www.legislation.gov.uk](http://www.legislation.gov.uk).