
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 304

**The Rent Arrears Pre-Action Requirements
(Coronavirus) (Scotland) Regulations 2020**

Pre-action requirements for private residential tenancies

4.—(1) For the purposes of paragraph 12(3B) of schedule 3 of the 2016 Act⁽¹⁾, the Scottish Ministers specify the pre-action requirements set out in paragraphs 2 to 4.

(2) The provision by the landlord to the tenant of clear information relating to—

- (a) the terms of the tenancy agreement,
- (b) the amount of rent for which the tenant is in arrears,
- (c) the tenant's rights in relation to proceedings for eviction (including the pre-action requirements set out in this regulation), and
- (d) how the tenant may access information and advice on financial support and debt management.

(3) The making by the landlord of reasonable efforts to agree with the tenant a reasonable plan to make payments to the landlord of—

- (a) future payments of rent, and
- (b) the rent for which the tenant is in arrears.

(4) The reasonable consideration by the landlord of—

- (a) any steps being taken by the tenant which may affect the ability of the tenant to make payment to the landlord of the rent for which the tenant is in arrears within a reasonable time,
- (b) the extent to which the tenant has complied with the terms of any plan agreed to in accordance with paragraph (3), and
- (c) any changes to the tenant's circumstances which are likely to impact on the extent to which the tenant complies with the terms of a plan agreed to in accordance with paragraph (3).

Commencement Information

II Reg. 4 in force at 30.9.2020, see [reg. 1\(1\)](#)

(1) Paragraph 5(2)(a) of schedule 1 of the Coronavirus (Scotland) (No. 2) Act 2020 modifies paragraph 12 so that it is to be read as if subsection 3B were inserted.

Changes to legislation:

There are currently no known outstanding effects for the The Rent Arrears Pre-Action Requirements (Coronavirus) (Scotland) Regulations 2020, Section 4.