

## **POLICY NOTE**

### **THE ASSURED TENANCIES AND PRIVATE RESIDENTIAL TENANCIES (PRESCRIBED NOTICES AND FORMS) (MISCELLANEOUS TEMPORARY MODIFICATIONS) (SCOTLAND) REGULATIONS 2022**

#### **SSI 2022/307**

The above instrument was made in exercise of the powers conferred by sections 19(3), 53(1),(2) and (3) and 55(1) of the Housing (Scotland) Act 1988, and sections 62(1)(d) and 77(1) and (2) of the Private Housing (Tenancies) (Scotland) Act 2016. The instrument is subject to negative procedure.

The instrument updates the prescribed notices a landlord is required to serve a tenant when seeking to end a tenancy under the Housing (Scotland) Act 1988 and the Private Housing (Tenancies) (Scotland) Act 2016 to reflect the temporary changes introduced under the Cost of Living (Tenant Protection) (Scotland) Bill.

#### **Policy Objectives**

The instrument is necessary to ensure that notices served by landlords to end a tenancy under the Housing (Scotland) Act 1988 and the Private Housing (Tenancies) (Scotland) Act 2016 are amended to reflect the changes introduced under the Cost of Living (Tenant Protection) (Scotland) Bill. These changes will allow landlords to serve a valid notice to end a tenancy using the new temporary grounds for repossession introduced as part of the exemptions to the moratorium on evictions.

#### **Consultation**

Due to the emergency nature of the Cost of Living (Tenant Protection) (Scotland) Bill, no formal public consultation has taken place. The measures in this instrument make amendments to prescribed forms required for implementation of the measures in the Bill.

#### **Impact Assessments**

Impact assessments have been completed as part of the development of the Cost of Living (Tenant Protection) (Scotland) Bill. All Impact Assessments for the Bill are available on the Scottish Government website, namely:

- Equality Impact Assessment
- Fairer Scotland Duty Impact Assessment
- Island Communities Impact Assessment
- Business Regulatory Impact Assessment
- Child Rights and Wellbeing Impact Assessment
- Data Protection Impact Assessment

There are no equality/children's/privacy, etc. impact issues in relation to this instrument.

## **Financial Effects**

The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Directorate for Local Government and Housing

*October 2022*