

Private Landlord Checklist

PREPARATION	Yes/No
Ensure everyone named in the Title Deeds is Registered as a landlord – private landlords must register with their Local Authority to ensure that minimum legal requirements are met.	
Check the implications of renting your property for your mortgage and Tax purposes	
Ensure you have correct landlord insurance in place for the property	
Ensure you have an Energy Performance Certificate (EPC) that has been issued in the last 10 years. Info here: EPC assessors	
If there are gas appliances, ensure you have an up to date Landlord's Gas Safety Certificate (this must be provided by an approved Gas Safe Engineer within the last 12 months). Info here: Register of Gas engineers	
Check your property complies with the Repairing Standards – this sets condition and maintenance standards, to which landlords must adhere. Info here: Repairing Standard	
Check if you need an HMO Licence – Mandatory licensing applies to houses or flats occupied by three or more unrelated people who share bathroom or kitchen facilities For any queries contact Lerwick 745250	
Ensure the property has satisfactory provision for detecting and warning of fires. The Repairing Standard includes a duty to ensure that homes have smoke and heat detectors. This requires more than one alarm. All alarms must be interlinked and mains wired with battery back up. Info here: Fire Detection and Warning Guide	
It is also a legal requirement to provide an Electrical Installation Condition Report (EICR). As part of the EICR you must ensure all electrical appliances you provide have undergone Portable Appliance Testing (PAT Tested) info here: Electrical Installation and Appliances check	
All soft furnishings provided must meet fire safety standards.	
The Repairing Standard includes the duty for adequate Carbon Monoxide (CO detectors(s)) to be in each room where there is a gas or solid fuel appliance (except a cooker). Info here: C. O Guidance	
Letting agents and landlords are obliged by law to carry out risk assessments for Legionnaires disease and implement any necessary measures. Info here: Legionella Guide	
It is a legal requirement that all advertising of the property must include the Energy Performance Rating Certificate and Landlord Registration Number.	
Make sure you have a Tenant Information Pack ready for your new tenants. Landlords have a legal duty to provide new tenants with this pack, which provides important information to tenants in the private rented sector. This can be provided electronically. Info here: Tenant info pack	
Ensure all certificates (Gas Safety, EPC, EICR) are photocopies and are present in the property for the tenant to inspect.	
Compile a detailed inventory and take meter readings	
Decide which Tenancy Deposit Company to use. The legal duties on landlords who receive a tenancy deposit are: <ul style="list-style-type: none"> • to pay deposits to an approved tenancy deposit scheme • to provide the tenant with key information about the tenancy and deposit Info here: Guide to Tenancy Deposits	

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STARTING THE TENANCY

From **1 December 2017**, onwards it will no longer be possible to create an assured or short assured tenancy. Tenancies existing before 1 December 2017 will continue to operate as they do currently until they end. Any tenancies created after this date will default to the new type automatically so even if you agree a contract you may not be able to enforce it. Legal advice is advised.

It is the law that the landlord must give their tenant(s) a written tenancy agreement. The Scottish Government have produced a 'Model Private Residential Tenancy Agreement' to help do this which includes both mandatory (compulsory) and discretionary terms which a landlord may or may not choose to include. Link here: [Model Agreement \(Sc Govt\)](#)

A landlord can choose not to use the 'Model Private Residential Tenancy Agreement' (above) as long as it sets out all of the statutory terms. If a landlord decides to do this they must provide their tenants with a copy of the 'Private Residential Tenancy Statutory Terms Supporting Notes' which includes information about the nine tenancy terms which must be provided in the tenancy agreement by law. Info here: [Supporting Notes](#)

Most of the info you need can be found on the Renting Scotland website: [Renting Scotland](#)

List of links supplied above:

- Energy Performance Certificate: [EPC assessors](#)
- Gas Safety [Register of Gas engineers](#)
- Repairing Standard: [Repairing Standard](#)
- Fire Detection: [Fire Detection and Warning Guide](#)
- Electrical Installation: [Electrical Installation and Appliances check](#)
- Carbon Monoxide: [C. O Guidance](#)
- Legionella: [Legionella Guide](#)
- Tenant information: [Tenant info pack](#)
- Private Residential Tenancies (any tenancies created after 01 December 2017): [Model Agreement \(Sc Govt\)](#)
- Notes (for tenants) to accompany new agreements from 01 Dec 2018: [Easy Read Notes \(for tenants\)](#)
- Private Residential Tenancies Statutory Terms Supporting Notes: [Supporting Notes](#)
- Landlord Registration [Landlord Registration](#)
- HMO info: [Scottish Government HMO guidance](#)
- Tenancy Deposit Schemes: [Guide to Tenancy Deposits](#)

This leaflet is for guidance only, you should seek independent legal advice if you are unsure of your responsibilities as a landlord.

For further information contact Environmental Health on 01595 745250

