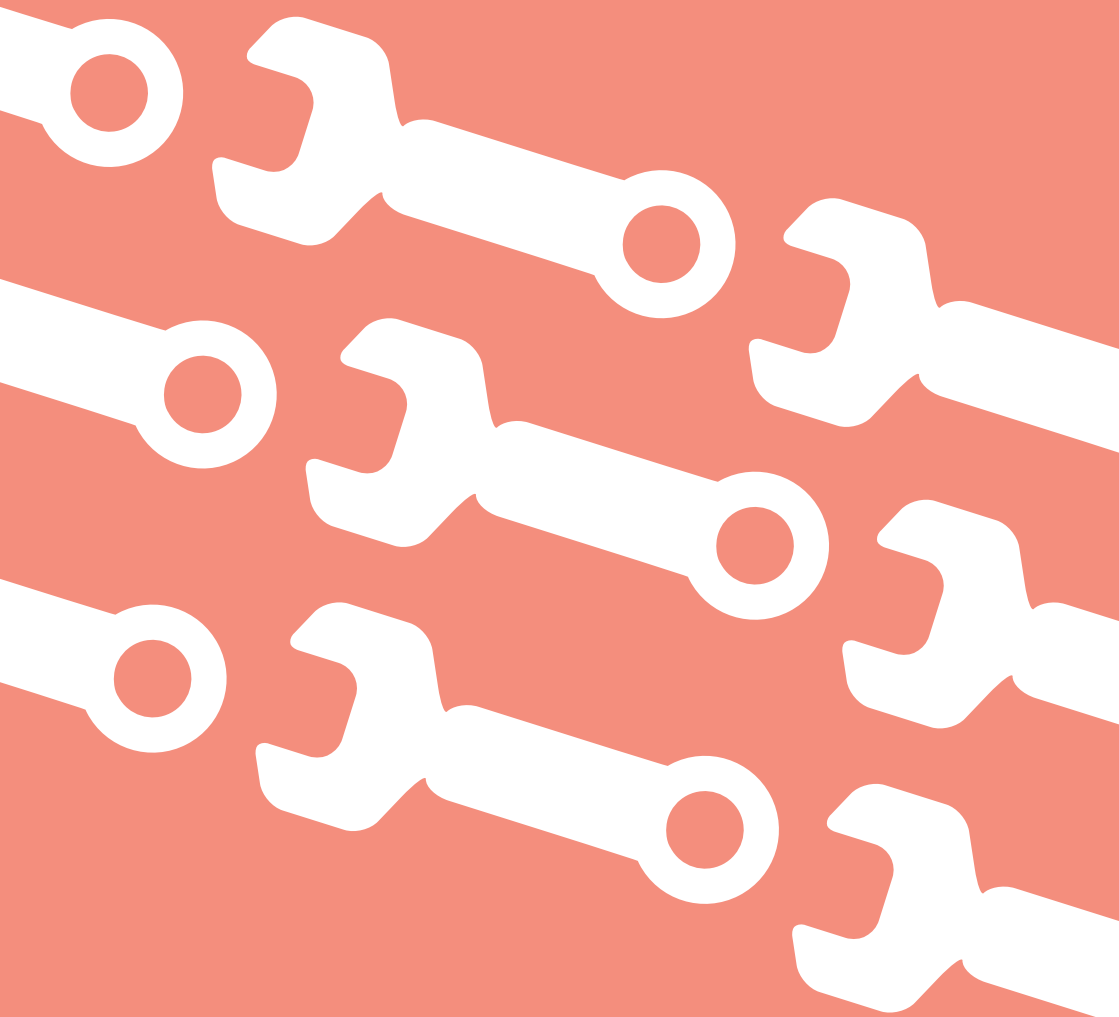




AN SRC ADVICE CENTRE GUIDE TO

REPAIRS IN PRIVATE RENTED ACCOMODATION



2022 EDITION

ABOUT

This leaflet is designed to give you some basic information about repairs in private rented accommodation.

Turn overleaf to view a selection of frequently asked questions and find out more information about the correct procedures to follow.

Remember you can always contact the SRC Advice Centre for more information or to discuss your options.

The service is free and confidential.

MORE INFORMATION

For more information about topics covered in this leaflet, visit the SRC Advice Centre website:

www.glasgowunisrc.org/advice



YOUR RIGHTS

WHAT ARE MY RIGHTS?

The Repairing Standard

Landlords and Letting Agents have a legal responsibility to undertake repairs and make sure that a property meets what is known as the repairing standard.

To meet this, the following standards must be met:

- Wind and watertight property, reasonably fit for human habitation
- Structure and exterior in reasonable repair and proper working order
- Installations for the supply of water and heated water, gas, electricity, sanitation and heating in a reasonable state of repair and in proper working order
- Fixtures, fittings and appliances provided must be in reasonable repair / proper working order
- Furnishings capable of being used safely for the purpose for which they are designed
- Carbon monoxide alarm in rooms where there is a risk of exposure to CO
- Have suitable fire safety devices – smoke alarms, a heat alarm and fire extinguishers. All alarms should interlink. Alarms can be mains powered or use long-life lithium batteries that cannot be changed. The battery alarms must be a sealed or of a tamper proof type.

The Tolerable Standard

All landlords also have to meet the tolerable standard. This is the minimum standard a property has to meet to be fit for occupation.

This covers similar areas such as **structure, dampness, lighting, ventilation, heating, insulation, water supply, toilet drainage, cooking facilities and safe electrical installations**. There may be extra repair responsibilities specified within your tenancy agreement.

Nothing in a tenancy agreement can takeaway a landlord's responsibility to meet both the repairing standard and the tolerable standard.

REPORTING, DURATION & ACCESS

HOW DO I REPORT REPAIRS?

Contact your landlord or letting agent in the first instance, clearly highlighting all the problems needing attention and ask for repairs to be carried out. Keep a note of when you contacted them, and if possible make this initial contact in writing / email, in case you need to chase it up later.

HOW LONG SHOULD IT TAKE TO CARRY OUT REPAIRS?

This depends on the nature of the problem; serious risks to your health and safety should be dealt with urgently (perhaps 1 or 2 days), whereas more minor repairs might take a little bit longer (perhaps up to 28 days). Where there are delays, seek clarity on what specifically is causing the delays to determine whether this seems reasonable or not.

CAN A LANDLORD GAIN ACCESS TO A PROPERTY WITHOUT MY PERMISSION TO CARRY OUT REPAIRS?

You must allow your landlord reasonable access for inspection or work to bring the tenancy up to the repairing standard. If you don't, you might be liable for any damage (particularly in emergency situations) were further disrepair to occur as a result of your refusal to allow access. A landlord can only gain access without your consent if they apply to the First-tier Tribunal for Scotland (Housing and Property Chamber) or via a court order.

WHAT IF I NEED TO FIND ALTERNATIVE ACCOMMODATION?

If there is serious damage to a property (e.g. a flood) you may have to move out and seek alternative accommodation. Your landlord may have insurance to cover the cost of this. First ask your landlord / agent what help they are able to offer you. If they are not willing to cover this cost, you can alternatively ask that they suspend rent charges for this period until repairs are completed.

If this is refused, you can then approach the Housing and Property Chamber and follow their process to investigate as a failure of the repairing standard. Always check your lease agreement for any clauses on this and if in doubt speak to someone in the SRC Advice Centre.

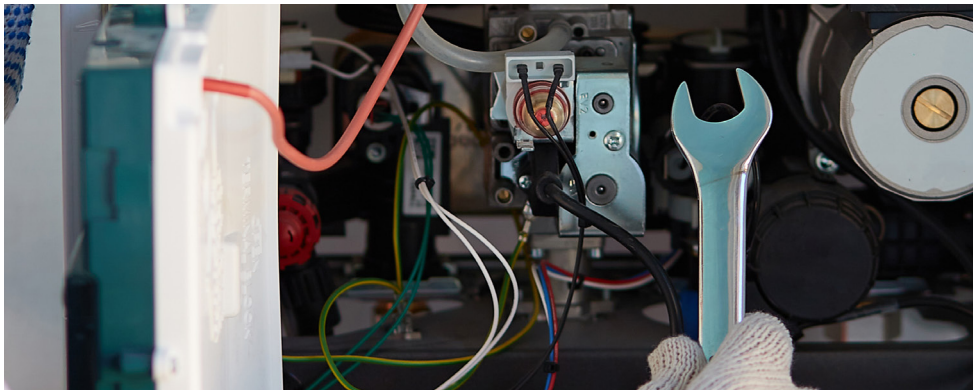
RESPONSIBILITY & CARE

THE LANDLORD STATES THAT THE NEED TO REPAIR IS MY FAULT. WHAT CAN I DO?

It's up to you to keep the property in good condition. Your tenancy agreement should note what your responsibilities are and what 'reasonable care' might look like. This typically might include:-

- Keeping the property reasonably clean, adequately ventilated, heated and reporting any problems to your landlord for repair (for example, a blocked drain or broken boiler)
- Keeping the furniture and fittings in good condition (allowing for normal wear and tear)
- Not causing any damage to the property or carrying out unauthorised alterations
- Carrying out minor maintenance (for example, changing light bulbs and keeping communal areas clean and tidy)
- Preventing water pipes from freezing in cold weather and not interfering with
- smoke, carbon monoxide or heat detectors, fire alarms or door entry systems.

If you feel that the landlord is putting responsibility on you unreasonably, seek advice from the SRC Advice Centre.



INCOMPLETE REPAIRS

I HAVE INFORMED MY LANDLORD AND THEY HAVEN'T DONE THE REPAIRS. WHAT ARE MY OPTIONS?

Where the landlord has failed to carry out a repair within a reasonable time, you may need to escalate the problem using the following steps as a guide:

Step 1 **Notify Your Landlord**

Send a letter / email to your landlord - emphasising what has not been done satisfactorily, what impact this is having and again asking that they take action

The Advice Team have put together a template letter you can customise with your own circumstances and send to your letting agent or landlord.

Download

www.glasgowunisrc.org/advice/accommodation/repairs

Step 2 **Escalating problems in relation to the Repairing Standard**

If Step 1 does not resolve the problem then you can approach the Housing and Property Chamber Tribunal who can force your landlord to carry out repairs in relation to the repairing standard.

More information and an application form can be accessed from the Housing and Property Chamber website (see useful contacts).

Before the Tribunal takes on your case, you have to be able to demonstrate that you have reported the problem to your landlord and have given them a reasonable chance to respond and resolve.

So keep dated copies of any letters or emails you send your landlord about the repairs and a record of any broken promises or tradesmen not turning-up when agreed, etc.

If you are considering this step you may find it helpful to speak to someone in the Advice Centre to initially talk this through.

Step 3 **Escalating problems in relation to the Tolerable Standard**

Your local Council has a statutory duty to look into any failure of this standard. Sanctions are available to local authorities in respect of any property found to be below the tolerable standard. Glasgow City Council details are in the useful contacts section.

CAN I WITHHOLD MY RENT?

Where you are confident you have given your landlord reasonable notice and time to resolve an issue, you can highlight to them within a letter or email that you intend to withhold rent until the problems are resolved.

If you do this you will need to keep the money to one side, as it will need to be paid once the repair is completed.

A strong word of caution with this – withholding rent may actually inflame the situation, and lead to threats of eviction and worsening relations with your landlord. Speak to the SRC Advice Centre if you are considering this option.

The Housing and Property Chamber may make a 'rent relief order' when it has decided that a landlord has failed to comply with a repairing standard enforcement order. This means that until the issue is resolved, you pay a reduction in rent.

CAN I WITHHOLD MY RENT?

If the landlord is at fault you may be able to claim compensation for key areas like damage to property, health or overall inconvenience.

Sending a letter or email to the landlord or agent outlining the range of problems, the delays in resolving these and the impact this has had is a good first step. This should include any evidence to strengthen your case for compensation, including pictures, receipts, medical reports etc. There are no set rules of what to ask for so you must judge what you think is reasonable given the circumstances.

If after taking this step your landlord or letting agent does not agree to pay compensation or you feel the amount is not acceptable it might be helpful to speak to someone in the SRC Advice Centre for additional advice.

I HAVE A PEST INFESTATION AT MY PROPERTY, WHAT SHOULD I DO?

For problems relating to insect / rat infestations, you should contact your Landlord initially then, if needed, the Council's Pest Control Team (see useful contacts).



USEFUL CONTACTS

SRC ADVICE CENTRE

MCINTYRE BUILDING
UNIVERSITY AVENUE
GLASGOW
G12 8QQ

0141 330 5360

advice@src.gla.ac.uk
www.glasgowunisrc.org/advice

SHELTER

www.scotland.shelter.org.uk
0808 800 4444

HOUSING AND PROPERTY CHAMBER

www.housingandpropertychamber.scot

GLASGOW CITY COUNCIL

Private Landlord and HMO Unit
privatelandlordregistrationunit@glasgow.gov.uk
0300 343 0414

GLASGOW CITY COUNCIL: HOUSING BELOW TOLERABLE STANDARD

0141 287 8590
enquiryPSHG@drs.glasgow.gov.uk

GCC PEST CONTROL TEAM

LES-PestControl@glasgow.gov.uk
0141 287 1059

NATIONAL GAS EMERGENCY (GAS LEAKS)

0800 111 999 (open 24hours)
<https://cadentgas.com/>

SP ENERGY NETWORKS (POWER CUTS)

www.spenergynetworks.co.uk
105 or 0800 092 9290

HSE GAS SAFETY ADVICE LINE

0800 300 363

LETTING AGENT CODE OF PRACTICE

www.gov.scot/publications/letting-agent-code-practice/

PLEASE NOTE

Whilst the information in this leaflet was correct at the time of printing, the leaflet is not a full statement of the law and the SRC cannot accept responsibility for decisions made based on this information. Always seek advice.

