

Evidence from Citizens Advice Scotland on the Cost of Living (Tenant Protection) Act

December 2023

This short briefing paper aims to give an update on relevant data and information for the Scottish Government to consider as part of its reporting to parliament on the impact of the Cost of Living (Tenant Protection) Act. We note that the reporting period is October to December 2023 however our most recently available data only covers up to the end of September 2023 (Q2) for advice code data and October 2023 for online advice page data. Q3 data will be available in January 2024.

Online advice pages relating to housing

- Unique Page Views (UPVs) of our webpage "You're facing eviction" were up 18% in October 2023 compared to October 2022.
- UPVs of the page "Problems during a tenancy – the landlord wants to increase the rent" decreased by 66% between October 2022 and October 2023.
- UPVs of the webpage "You are a private sector tenant taken to the tribunal for rent arrears" dropped by 8% between October 2022 and October 2023.
- However, UPVs of the webpage "You are a public sector tenant taken to the tribunal for rent arrears" rose by 9% between October 2022 and October 2023.

Housing advice code data

Eviction and rent

- Advice on possession action as a proportion of threatened homelessness has decreased by 12% between Q2 22/23 and Q2 23/24 after a trend of increasing in the previous two quarters of the year.
- Between Q2 22/23 and Q2 23/24, advice on illegal eviction as a proportion of all PRS advice has increased by 49%.
- There was a 28% decrease in demand for advice on rents as a proportion of all PRS advice between Q2 22/23 and Q2 23/24.

Homelessness

- Advice on actual homelessness increased by 5% between Q2 22/23 and Q2 23/24. Advice on threatened homelessness increased by 17% in the same period.

- Access to and provision of accommodation advice increased by 2% between Q2 22/23 and Q2 23/24.

Mortgage advice

- Advice on “Obligation to mortgage lender” decreased by 23% between Q2 22/23 and Q2 23/24.

Social Policy Feedback

Since the last report to parliament, the Citizens Advice network in Scotland has continued to provide advice to clients who have enquired about their rights under the emergency legislation.

An East of Scotland CAB reports of a client who has been experiencing severe issues with the condition of the property he lives in with his wife and children. These issues include damp and mould and a mice infestation. The landlord has promised to remedy these, but no action has been taken. The client’s rent was also increased from £700 to £800 in July, a 13% increase. The tenant was not aware of the rent cap or that he could challenge the increase.

A North of Scotland CAB reports of a client who is a landlord. One of their tenants has not paid rent for over three months. The mortgage has risen to the point that even after the rent gets paid the client still has to pay an extra £300 towards the mortgage. There has been no communication from the tenant and he has not responded to the client. The client would like to know what can be done as he wishes to evict the tenant but is aware of the eviction ban. In a separate matter the client has been trying to sell the property for some time. The property has cladding on it and as such is under a cladding order. This makes the property un-mortgageable. The client has contacted a solicitor about it and he was told he would need to seek permission to sell.

An East of Scotland CAB reports of a client who has been given one month’s notice to leave his rented flat due to rent arrears. The letter is not a Notice to Leave in the correct form. The client does not speak English and did not understand what the letter was requesting, other than the rent arrears balance. The client was alarmed once translated and is concerned about the landlord attempting illegal eviction. Client has made a housing application to their local authority, but even after reassurance around the process, he is concerned about having nowhere for his family to go.

A West of Scotland CAB reports of a client who was notified of a 24% rent increase in April 2023, as well as being told the rent will increase again in September by a further 16%. The client had referred the September increase to the rent officer who responded

that the increase was based on a new tenancy agreement for September 2023 for 12 months. The client had received a new tenancy agreement with the April 2023 rent increase and a further new agreement for the proposed September increase. Her Universal Credit housing element limit was £424. Whilst she could just manage to pay the first increase she could not afford any further increase.

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