COVID 19 – INFORMATION
UPDATED 13/05/2020

SUPPORT FOR RENTERS AND OWNER OCCUPIERS

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1. INCREASE TO LOCAL HOUSING ALLOWANCE

On 20th March the Chancellor announced nearly £1bn of support for renters, by increasing Housing Benefit and Universal Credit, so that the Local Housing Allowance will cover at least 30% of market rents in each area.

The New regulations from 30th March 2020 provide:

*That rent officers must determine a local housing allowance in the private rented sector for each relevant category of accommodation in each broad rental market area on 31 March 2020 so that the allowance is set at the lower of rent at the 30th percentile of local rents and revised national caps (these determinations are to replace those made on 31 January 2020 and are to take effect for the 12 months beginning on 1 April 2020);*

2. EVICTIONS AND ORDERS SUSPENDED

The Housing and Property Chamber announced that all hearings and case management discussions will be postponed from 19 March 2020, this means that there will be no new eviction orders granted for private rented tenancies until 28 May 2020 at the earliest.

The First Minister indicated that the Scottish Government would also extend the qualification period to protect tenants from eviction from three months to six months. (See
If private landlords have already applied for and obtained eviction orders, they are being discouraged on enforcing these.

The First minister has stated that "….no one should face eviction because of rent arrears accrued as a result of the coronavirus." Also that the Scottish Government "will not hesitate" to intervene in issues "that put people in an unfair position" during the crisis.

Illegal eviction is a criminal offence - coronavirus doesn't change this.

Landlords with Buy to let Mortgages are also eligible to apply for a 3 month payment holiday to help those struggling to pay their rent (see Section 5 for more information.)


3. NOTICE TO QUIT (ASSURED TENANCIES) AND NOTICE TO LEAVE (PRT)

NEW As part of the Coronavirus (Scotland) Bill introduced to Parliament on 31st March, and passed on 1st April 2020, the Scottish Government will implement emergency powers to ensure private and social tenants will be given increased protection from eviction during the coronavirus pandemic.

Emergency legislation will temporarily increase the minimum notice period for private and social tenants to up to six months (depending on the grounds used), helping to protect them from eviction. This will also suspend the mandatory grounds for eviction across tenancies.

For detail see Schedule 1, of the Coronavirus (Scotland) Bill at [https://www.parliament.scot/S5_Bills/Coronavirus%20(Scotland)%20Bill/SPBill66S052020.pdf](https://www.parliament.scot/S5_Bills/Coronavirus%20(Scotland)%20Bill/SPBill66S052020.pdf)

Should anyone receive notice, please contact the Advice Team at advice@ayrhousingaidcentre.com or call 07549 603895 / 07760 750256.

4. ROUTINE MAINTENANCE AND SERVICING
The Scottish Government has issued updated guidance on gas, fire and electrical safety checks which states that private landlords and letting agents should postpone routine certification requirements during the current coronavirus pandemic.

In non-statutory guidance for landlords and tenants in the private and social rented sectors issued by the UK Government, a “pragmatic approach to enforcement” of repairs and gas safety checks during the outbreak is recommended, noting that, if landlords have taken all reasonable steps to carry out safety checks, including gas, they were not in breach of the law.

The current COVID-19 epidemic means that no unnecessary visits to tenants’ homes should be taking place. Unless work is essential for the safety and security of occupiers, or for homes to be fit for human habitation, it should be postponed.

It is recommended that access to a property is only proposed for serious and urgent issues, which might include but would not be limited to:

- If there is a problem with the fabric of the building, for example, the roof is leaking
- If the boiler is broken, leaving tenants without heating or hot water
- If there is a plumbing issue, meaning tenants don’t have washing or toilet facilities

Emergency repairs should be reported as normal and a risk assessment will be carried out.

5. HELP FOR OWNER OCCUPIERS

On 17 March, banks agreed with the Chancellor that they will offer ‘forbearance’ (tolerance and help) on mortgages.

What this means for owner occupiers is that their mortgage provider should offer people struggling with their payments a three-month ‘holiday’, allowing customers a temporary break from having to make mortgage payments during this time. Note - this is a voluntary agreement with banks – it isn’t compulsory for them to offer mortgage holidays but many are.

Interest is still charged during the payment holiday but it is added to the total cost so it would be spread over the remaining duration of the mortgage once payments start again.

Payment holidays need to be agreed with lenders formally. If payments are stopped without warning they will normally be recorded as a late payment, which will not only create arrears but will also likely affect a person’s credit scoring profile.
Many people are reporting difficulties getting through to their mortgage lenders during this busy time. In the first instance, people are encouraged to visit their lenders website if possible as many have uploaded online forms to submit proposals.

6. **£5 MILLION LOAN FUND FOR PRIVATE-SECTOR LANDLORDS**

The Scottish Government has announced a £5 million loan fund for private-sector landlords whose tenants are unable to pay their rent during the coronavirus (COVID-19) outbreak.

The Private Rent Sector Landlord COVID-19 Loan Scheme will support private-sector landlords who are not classified as businesses, have five or less properties to rent, and that it will offer eligible landlords up to 100 per cent of lost rental income for a single property.

Housing Minister Kevin Stewart said -

“We want to ensure no one loses their home during this unprecedented public health pandemic which is why we passed legislation to protect tenants against any eviction action for six months”.

‘While all tenants should pay their rent if they can, we recognise the financial pressure people are facing. The Scottish Government encourages landlords to talk to their tenants about rent payment issues. We also expect landlords to be as flexible as possible with their tenants, discuss managing rental payments and help them find sources of financial support and advice.’

For more information, see [Aid for private rental landlords](https://www.gov.scot) from gov.scot

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**If you have any further questions about any of the above topics, or if you require Housing Advice or Information**

Email [advice@ayrhousingaidcentre.com](mailto:advice@ayrhousingaidcentre.com) or call, text or whatsapp us on 07549 603895 / 07760750256 or contact us via facebook at [https://www.facebook.com/ayrhac](https://www.facebook.com/ayrhac)