



SCOTTISH  
LETTING  
DAY

# Scottish Letting Day 2024



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# Welcome to Scottish Letting Day – Presidents 1

Conference and exhibition 19 November 2024

Conference partner:



Conference sponsors:



tc young





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# Scottish Letting Day 2024



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# Welcome and introduction

**John Blackwood**

Scottish Association of Landlords

Scottish Letting Day 2024



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# Scottish Letting Day 2024



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# Do you know what to expect at the First-tier Tribunal?

**Kirstie Donnelly**  
TC Young Solicitors

Scottish Letting Day 2024

# What to expect at the First-tier Tribunal

What happens at a Case Management Discussion?

**tc young**

The Scottish law firm with **you** at its centre



# Welcome to the First-tier Tribunal (FTT)

- A typical Case Management Discussion (CMD)
- We will conduct 2 mock CMDs; rent arrears and intention to sell
- Legal Member + Ordinary Member
- Applicant representative (landlord's solicitor)
- Respondent (tenant representing themselves)



# “Mock” CMDs

- No resemblance is intended of any person (living or dead)
- Designed to demonstrate the typical problems encountered in CMDs
- Provide an insight into the FTTs considerations, questions asked, and evidence required

# Other FTT hearings

CMDs also take place for other application types; tenancy deposit claims, wrongful termination orders

CMD = procedural = first calling

Hearing = evidential = 'proof' evidence heard like a trial

# Other eviction grounds

Hope mock CMDs will be useful

Briefly discuss evidence for some other eviction grounds

Q & A at end



# Getting to the CMD

Not physically, as most continue to be by Teleconference

What procedure has come before?

*Notice* – 2 weeks/2 months/28 days/84 days

Lodging application > acknowledgement > acceptance > CMD assigned > written representations from tenant? v postponement/request? > **CMD**

# Purpose of the CMD

## Tribunal rules Rule 17

1. The First-tier Tribunal must give each party *reasonable notice* of the date, time and place of a case management discussion and any changes to the date, time and place of a case management discussion.
2. The purpose of a case management discussion is to enable the First-tier Tribunal to *explore how the parties' dispute may be efficiently resolved*, including by—
  - a) identifying the issues to be resolved;
  - b) identifying what facts are agreed between the parties;
  - c) raising with parties any issues it requires to be addressed;
  - d) discussing what witnesses, documents and other evidence will be required;
  - e) discussing whether or not a hearing is required; and
  - f) discussing an application to recall a decision.
3. The First-tier Tribunal *may* do anything at a case management discussion which it may do at a hearing, *including making a decision*.

# Case 1: rent arrears Mr Adams v Miss Brown

- PRT – started 2 June 2022
- Rent - £ 750 pcm
- Notice to Leave served 3 April 2024; ground 12
- Rent arrears currently £5,300
- Now calls for CMD



# Evidence

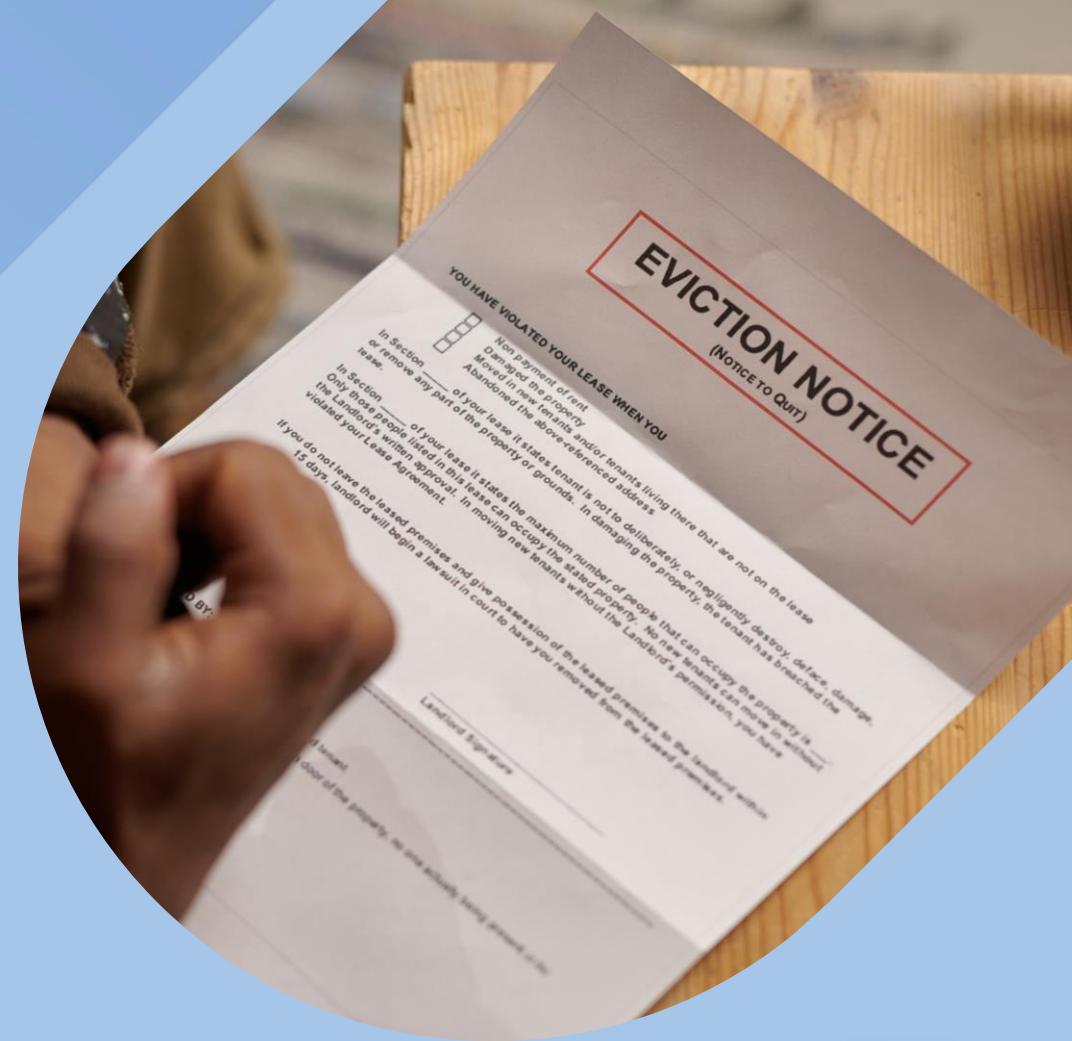
## Rent statement

Date	Amount Due	Received from Tenant	Balance
02/06/2022	£750.00		£750.00
02/06/2022		£750.00	£0.00
02/07/2022	£750.00		£750.00
02/07/2022		£750.00	£0.00
02/08/2022	£750.00		£750.00
02/08/2022		£750.00	£0.00
02/09/2022	£750.00		£750.00
02/09/2022		£750.00	£0.00
02/10/2022	£750.00		£750.00
02/10/2022		£750.00	£0.00
02/11/2022	£750.00		£750.00
02/11/2022		£750.00	£0.00
02/12/2022	£750.00		£750.00
02/12/2022		£750.00	£0.00
02/01/2023	£750.00		£750.00
02/01/2023		£750.00	£0.00
02/02/2023	£750.00		£750.00
02/02/2023		£750.00	£0.00
02/03/2023	£750.00		£750.00
02/03/2023		£750.00	£0.00
02/04/2023	£750.00		£750.00
02/04/2023		£750.00	£0.00
02/05/2023	£750.00		£750.00
02/05/2023		£750.00	£0.00
02/06/2023	£750.00		£750.00
02/06/2023		£750.00	£0.00
02/07/2023	£750.00		£750.00
02/07/2023		£750.00	£0.00

02/08/2023	£750.00		£750.00
02/08/2023		£750.00	£0.00
02/09/2023	£750.00		£750.00
02/09/2023		£750.00	£0.00
02/10/2023	£750.00		£750.00
02/10/2023		£750.00	£0.00
02/11/2023	£750.00		£750.00
02/11/2023		£400.00	£350.00
02/12/2023	£750.00		£1,100.00
02/12/2023		£300.00	£800.00
02/01/2024	£750.00		£1,550.00
02/01/2024		£1,200.00	£350.00
02/02/2024	£750.00		£1,100.00
02/02/2024		£750.00	£350.00
02/03/2024	£750.00		£1,100.00
02/03/2024		£200.00	£900.00
02/04/2024	£750.00		£1,650.00
02/04/2024		£200.00	£1,450.00
02/05/2024	£750.00		£2,200.00
02/05/2024		£200.00	£2,000.00
02/06/2024	£750.00		£2,750.00
02/06/2024		£200.00	£2,550.00
02/07/2024	£750.00		£3,300.00
02/07/2024		£200.00	£3,100.00
02/08/2024	£750.00		£3,850.00
02/08/2024		£200.00	£3,650.00
02/09/2024	£750.00		£4,400.00
02/09/2024		£200.00	£4,200.00
02/10/2024	£750.00		£4,950.00
02/10/2024		£200.00	£4,750.00
02/11/2024	£750.00		£5,500.00
02/11/2024		£200.00	£5,300.00

# Decision?

- Eviction order
- Further case management discussion
- Hearing



## Case 2: intention to sell Mrs Smith v Mr Jones

- PRT – started 1 April 2024
- Rent - £ 2500 pcm (Mr Jones is not in any arrears)
- Notice to Leave served Ground 1 on 22 May 2024
- FTT Form E application lodged on 24 June 2024
- Now calls for CMD



# Evidence

7 West George Street,  
Glasgow,  
G2 1BA  
DX GW 78 Glasgow

**tc young** solicitors  
effective legal solutions

Melrose House,  
69a George Street,  
Edinburgh, EH2 2JG  
DX: ED112 Edinburgh

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Mrs Smith  
*by email only*

Our Ref: SAL/ KID/T C Y00-236  
**Please reply to our Glasgow Office**

Your Ref:

Date: 5 June 2024

Dear Mrs Smith

**Sale of: Your Flat, Edinburgh, EH1 2BY**  
**Terms of Business**

Thank you for your recent instruction.

We are delighted to act in the sale of your property. Please find enclosed terms of business.

We understand the property is currently tenanted and will be marketed once vacant possession is obtained.

**tc young**

# Decision?

- Eviction order
- Further case management
- Hearing





# Other eviction cases at FTT

- Assured and short assured tenancies
- Includes *previously* mandatory Section 33 evictions  
No AT5? = No S33 eviction
- Anti-social behaviour
- Breach of tenancy
- Condition of property
- Photos and vouching for costs
- Evidence and witnesses = *Important!*

# Kirstie Donnelly

Associate solicitor

Email: [kid@tcyoung.co.uk](mailto:kid@tcyoung.co.uk) / [prs@tcyoung.co.uk](mailto:prs@tcyoung.co.uk)

Tel: 0141 225 2577 / 0141 221 5562



**tc young**



# Scottish Letting Day 2024



Do you know what to expect at the First-tier Tribunal?

**Help us plan our future conferences by letting us know your thoughts on this session by scanning the QR code below**



Scottish Letting Day 2024



# Scottish Letting Day 2024



## Sessions now available to attend

**Presidents 2**

Developing your business for an ageing population

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**Presidents 1 (current room)**

EPC – energy performance confusion

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**Moncrieff**

Talking Deposits LIVE

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**Cap & Thistle**

Maximise your student rental revenue with UniHomes

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**Centenary**

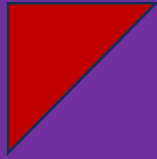
Customer service circus – juggling property management with a smile

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# Scottish Letting Day 2024



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# **EPC – energy performance confusion**

**Caroline Elgar**

Scottish Association of Landlords

Scottish Letting Day 2024

# EPC- energy performance confusion

Dispelling the myths and exploring the current proposals for improving the energy efficiency of homes in the private rented sector (PRS)



# Confusion

Do I need a minimum energy performance certificate (EPC)  
rating now?

Do I need one in the future?

Will I be able to get my property compliant?

What about listed buildings/period features?

## **April 2017 consultation**

E by 1 April 2019 (change of tenancy)

E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)



## May 2018 consultation

E by ~~1 April 2019~~ **1 April 2020** (change of tenancy)

E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

**C by 2030 (all PRS properties)**

## March 2019 consultation

E by 1 April 2020 (change of tenancy)  
E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)  
D by 31 March 2025 (all PRS properties)

C by 1 April 2025 (change of tenancy)  
C by 2030 (all PRS properties)

## January 2020

E by ~~1 April 2020~~ **1 October 2020** (change of tenancy)

E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

C by 1 April 2025 (change of tenancy)

C by 2030 (all PRS properties)

DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**ENERGY CONSERVATION**

The Energy Efficiency (Domestic Private Rented Property)  
(Scotland) Regulations 2020

26 January 2020 - laid before parliament

11 March 2020 – approved by parliament

**26 March 2020 - withdrawn**

1 April 2020 – due to become law

## November 2020

~~E by 1 October 2020 (change of tenancy)~~

~~E by 31 March 2022 (all PRS properties)~~

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

C by 1 April 2025 (change of tenancy)

C by 2030 (all PRS properties)

Government advises SAL that regulations will be  
reintroduced in Spring 2021

## January 2021

~~D by 1 April 2022 (change of tenancy)~~

~~D by 31 March 2025 (all PRS properties)~~

~~C by 1 April 2025 (change of tenancy)~~

~~C by 2030 (all PRS properties)~~

Government decides to pause the laying of regulations due to ongoing Covid 19 pandemic

## July 2021 and July 2023 consultations

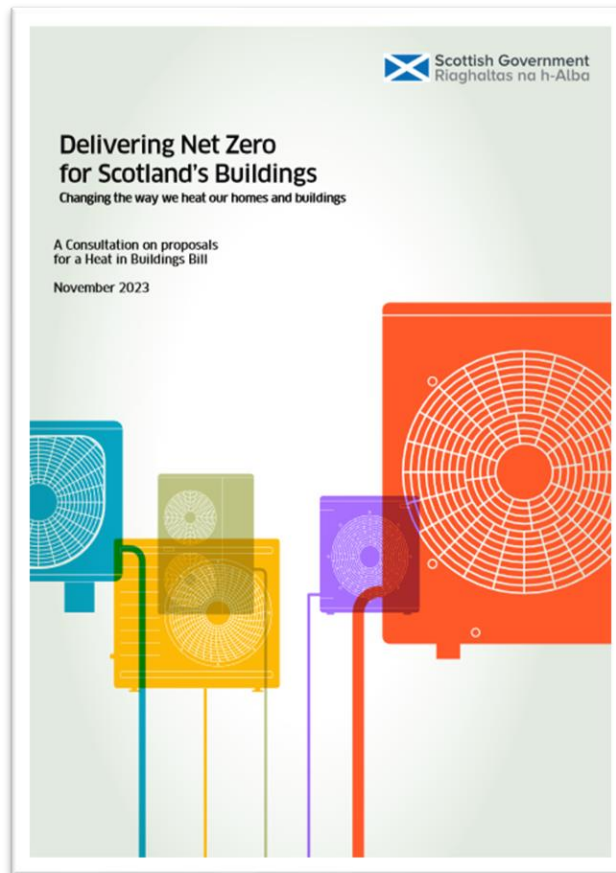
Reforming EPC report to change headline metrics

Proposal to reduce the EPC validity from 10 years to 5 years

<b>Proposed Metric</b>	<b>Description</b>	<b>Display</b>
Fabric Rating	Efficiency of the building fabric	A-G scale and kWh/m <sup>2</sup> /yr
Energy Cost Rating	Running cost per year (based on £/m <sup>2</sup> /yr)	A-G scale with 1-100 rating
Heating System Type	Type of heating system	Heating system classification (zero direct emissions or not, and efficiency)

# November 2023 consultation

New proposals published in Heat in Buildings consultation





None of what we have discussed so far  
has become law

There are currently no  
minimum standards

# **Heat in Buildings consultation proposals**

## **1. Minimum energy efficiency standard**

By 2028 (PRS) and 2033 (owner occupied)

## **2. Clean heating system**

By 2045

## Minimum energy efficiency standard - 2028

**We think that this list could be<sup>14</sup>:**

- 270 mm loft insulation;
- cavity wall insulation (CWI);
- draught-proofing;
- heating controls;
- 80 mm hot water cylinder insulation;
- Suspended floor insulation<sup>15</sup>.



Or – “good level” of fabric efficiency (equivalent to EPC C)

## Clean heating system - 2045

Polluting heating systems	Clean heating systems
Burn fossil fuels and emit CO <sub>2</sub> at the point of use	Don't produce any CO <sub>2</sub> emissions at the point of use
Gas boilers	Heat pumps
Oil boilers	Heat networks
LPG boilers	Electric storage heaters
	Electric boilers
	Other electric heating technologies

Ground floor 1890s tenement flat with solid stone walls and combi boiler



## Ground floor 1890s tenement flat with solid stone walls and combi boiler

### 2028 requirements:

270mm loft insulation

N/A

Cavity wall insulation

N/A

Draught proofing

Already in place

Heating controls

Already in place

80mm hot water cylinder insulation

N/A

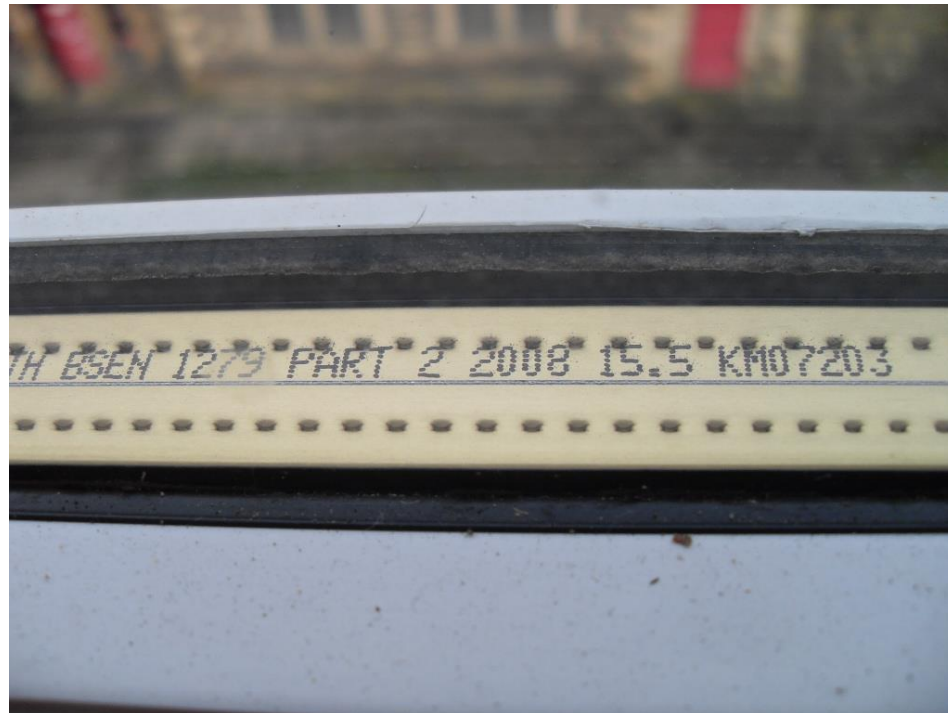
Suspended floor insulation

**Required**

### 2045 requirements:

**Combi boiler will need to be replaced with a clean heating system**

**Top floor 1890s tenement flat with solid stone walls and combi boiler**



## Top floor 1890s tenement flat with solid stone walls and combi boiler

### 2028 requirements:

270mm loft insulation

**Required**

Cavity wall insulation

N/A

Draught proofing

Already in place

Heating controls

**Required**

80mm hot water cylinder insulation

N/A

Suspended floor insulation

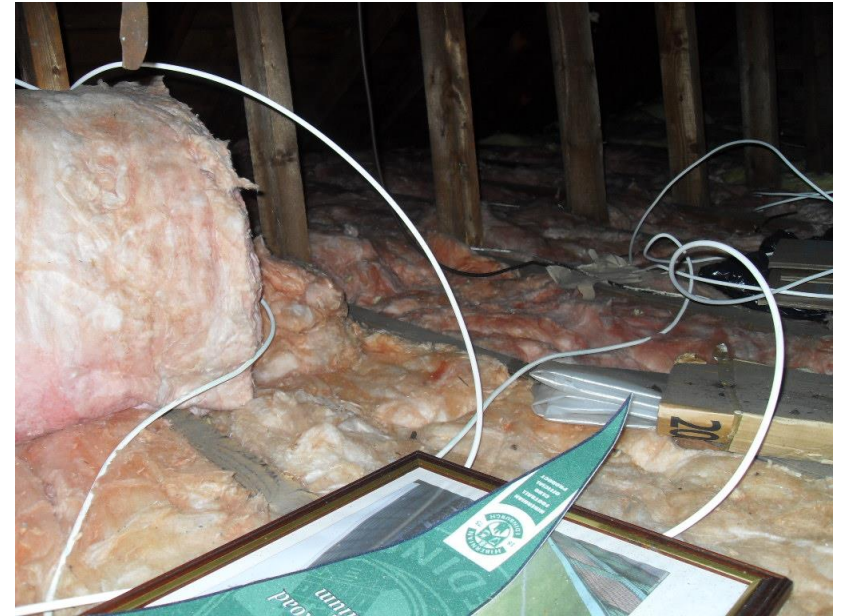
N/A

### 2045 requirements:

**Combi boiler will need to be replaced with a clean heating system**



**Upper villa 4 in a block 1930s build with uninsulated cavity wall and electric storage heating**



## Upper villa 4 in a block 1930s build with uninsulated cavity wall and electric storage heating

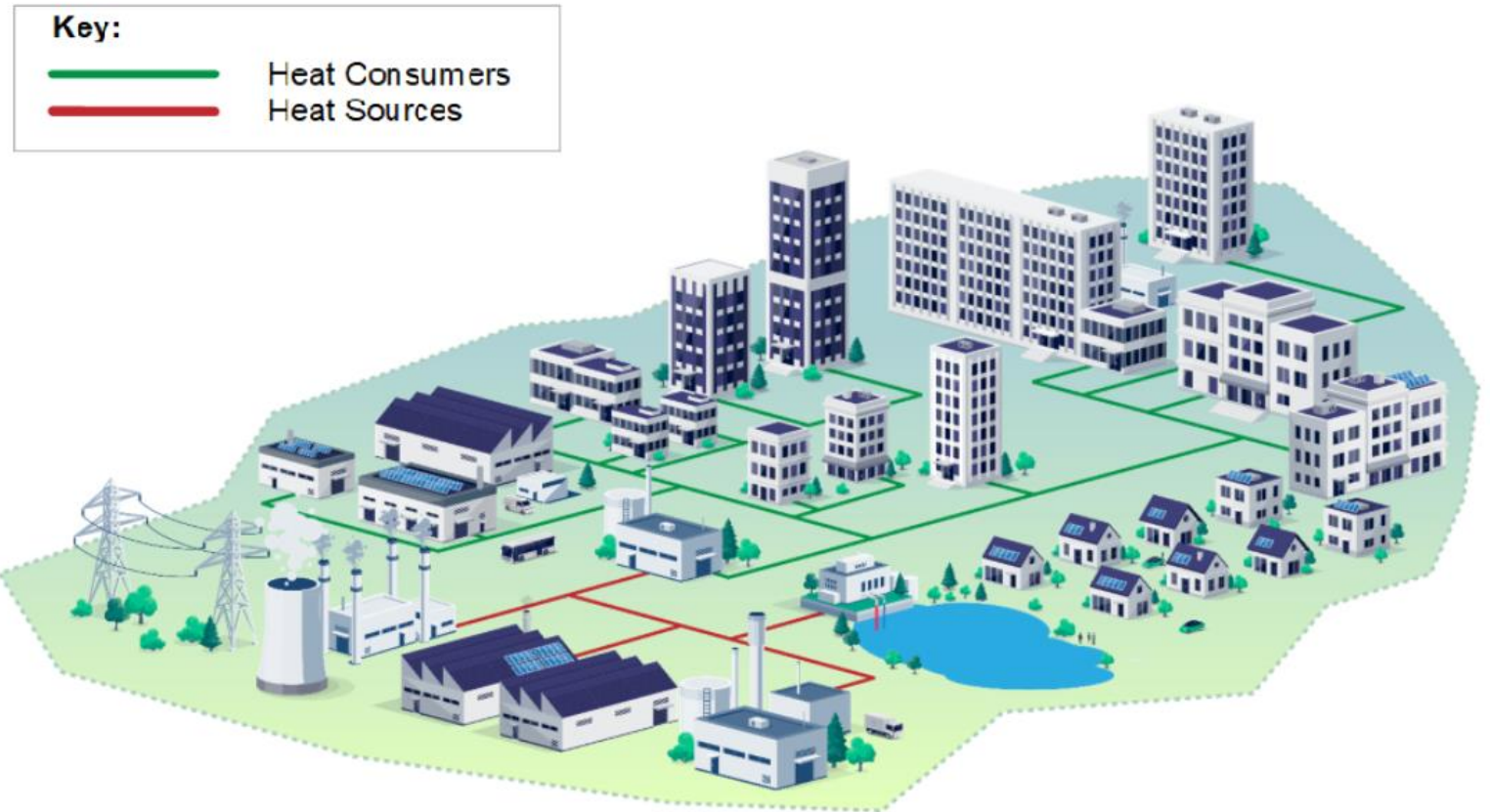
### 2028 requirements:

270mm loft insulation	Already in place
Cavity wall insulation	<b>Required</b>
Draught proofing	Already in place
Heating controls	Already in place
80mm hot water cylinder insulation	Already in place
Suspended floor insulation	N/A

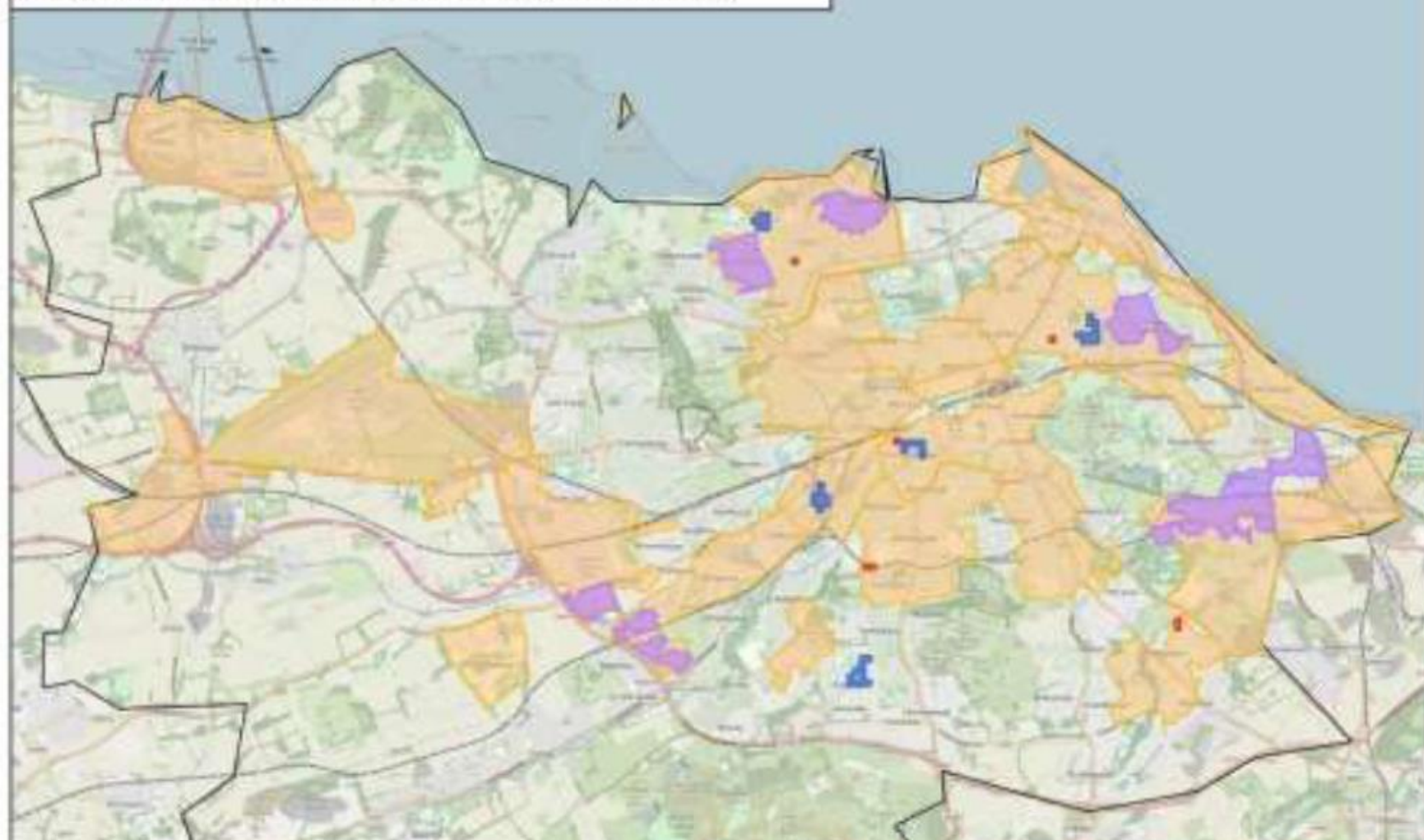
### 2045 requirements:

No changes needed as property already has a clean heating system

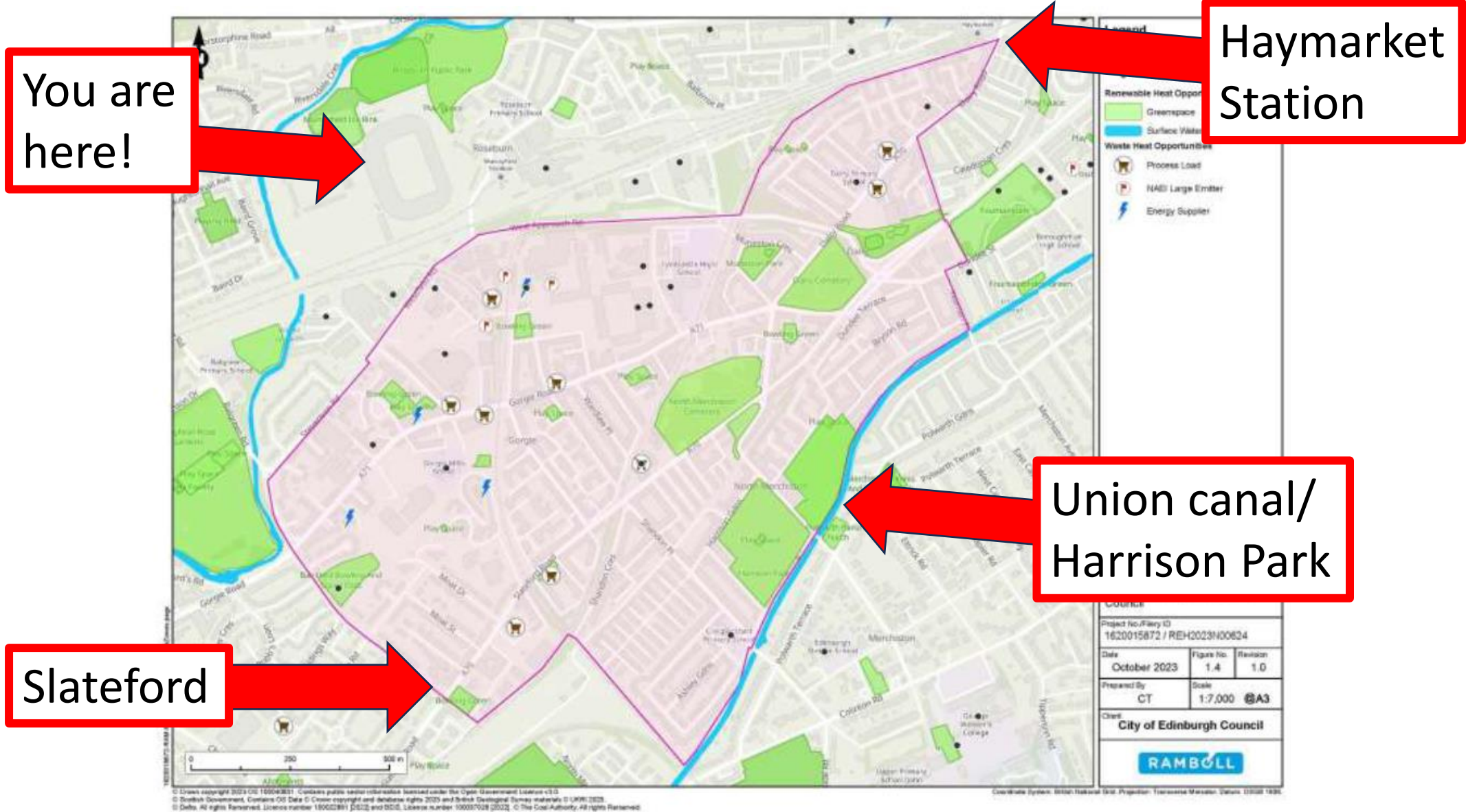
# Clean heating systems



## Prospective delivery areas and heat networks



- On Gas Category 1 Areas
- Off Gas Category 1 Areas
- Prospective High Priority Delivery Area
- Prospective Heat Network Zones
- Local Authority Boundary



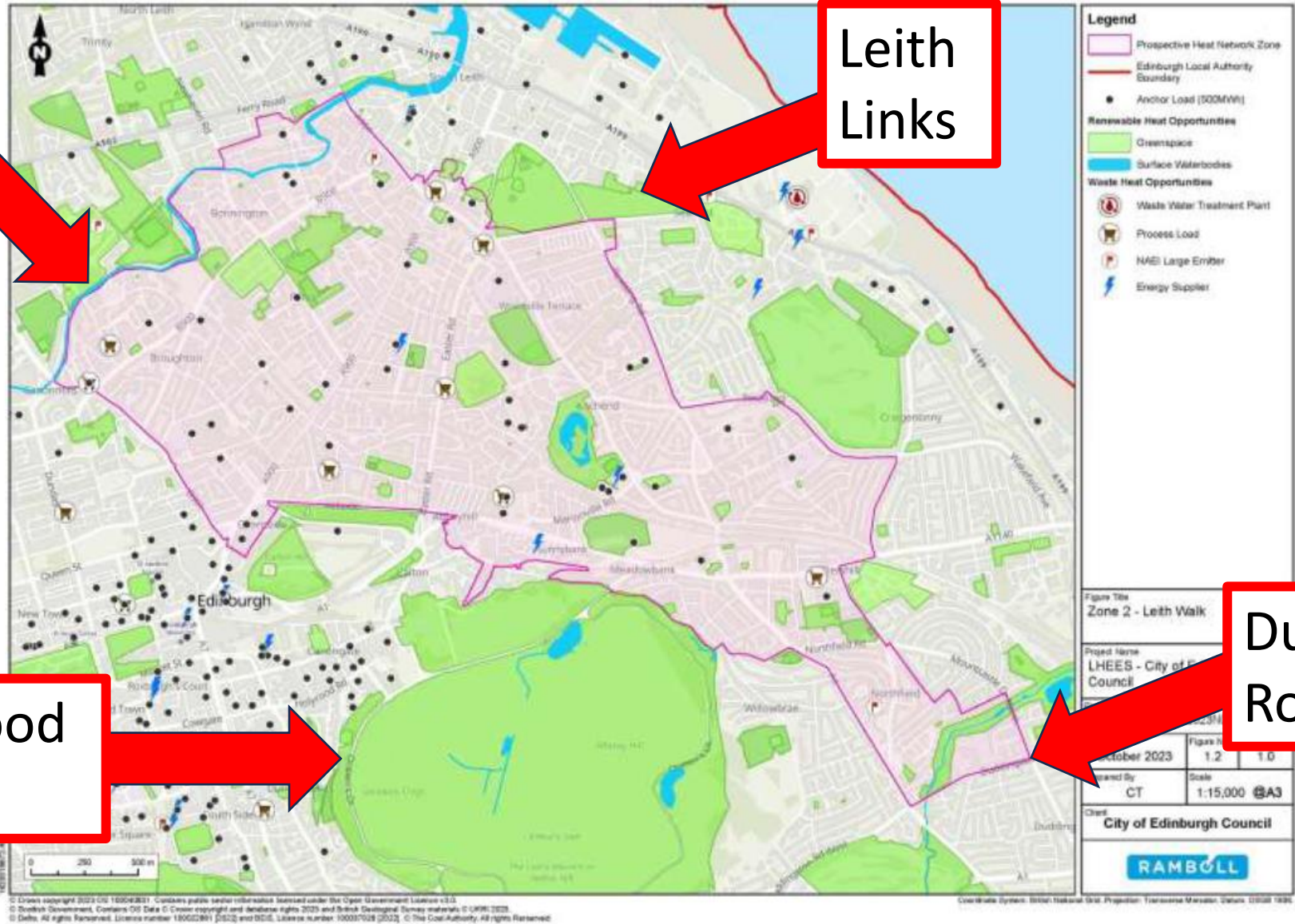
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Water of Leith

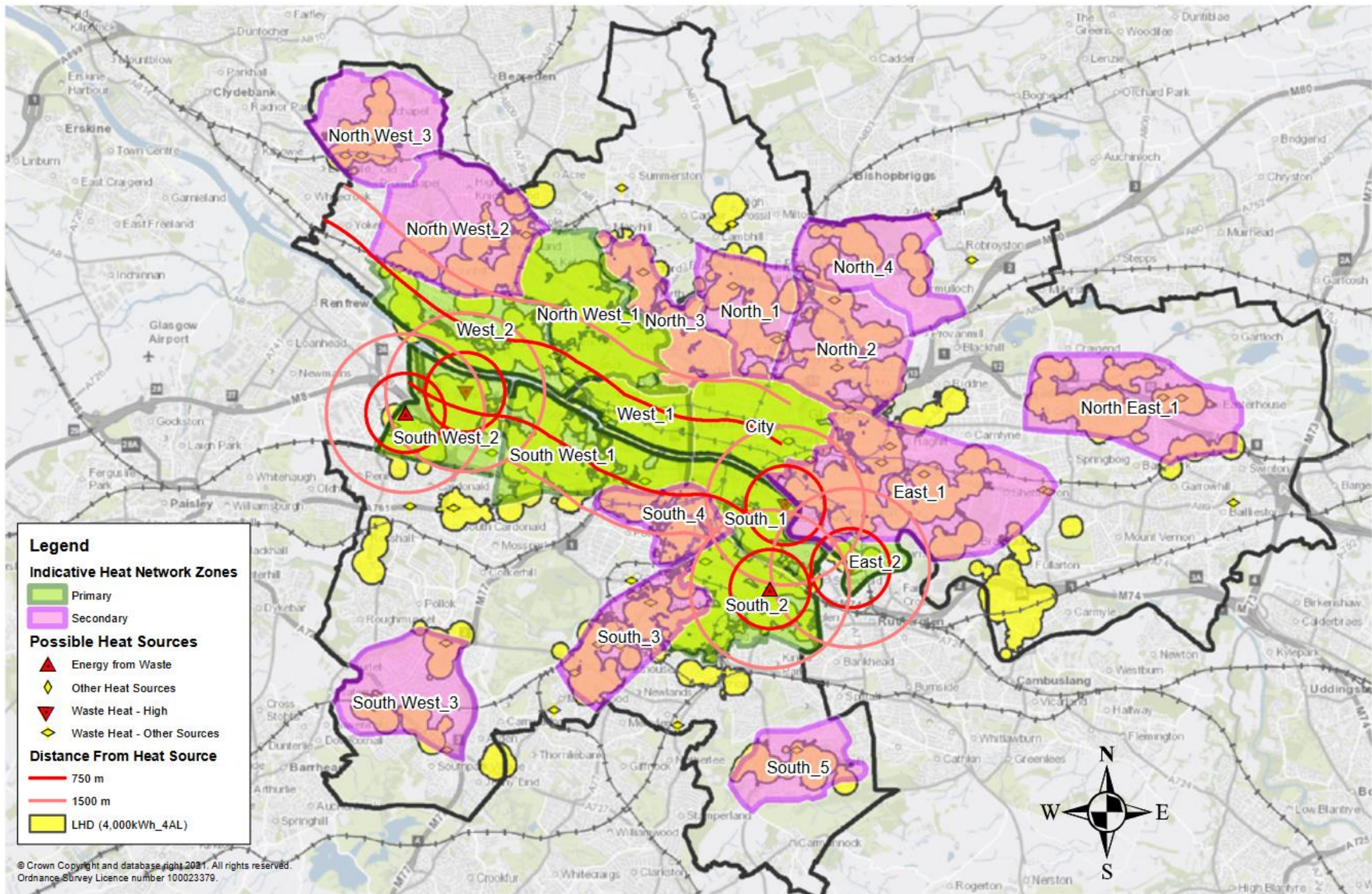
Leith Links

Holyrood Park

Duddingston Road

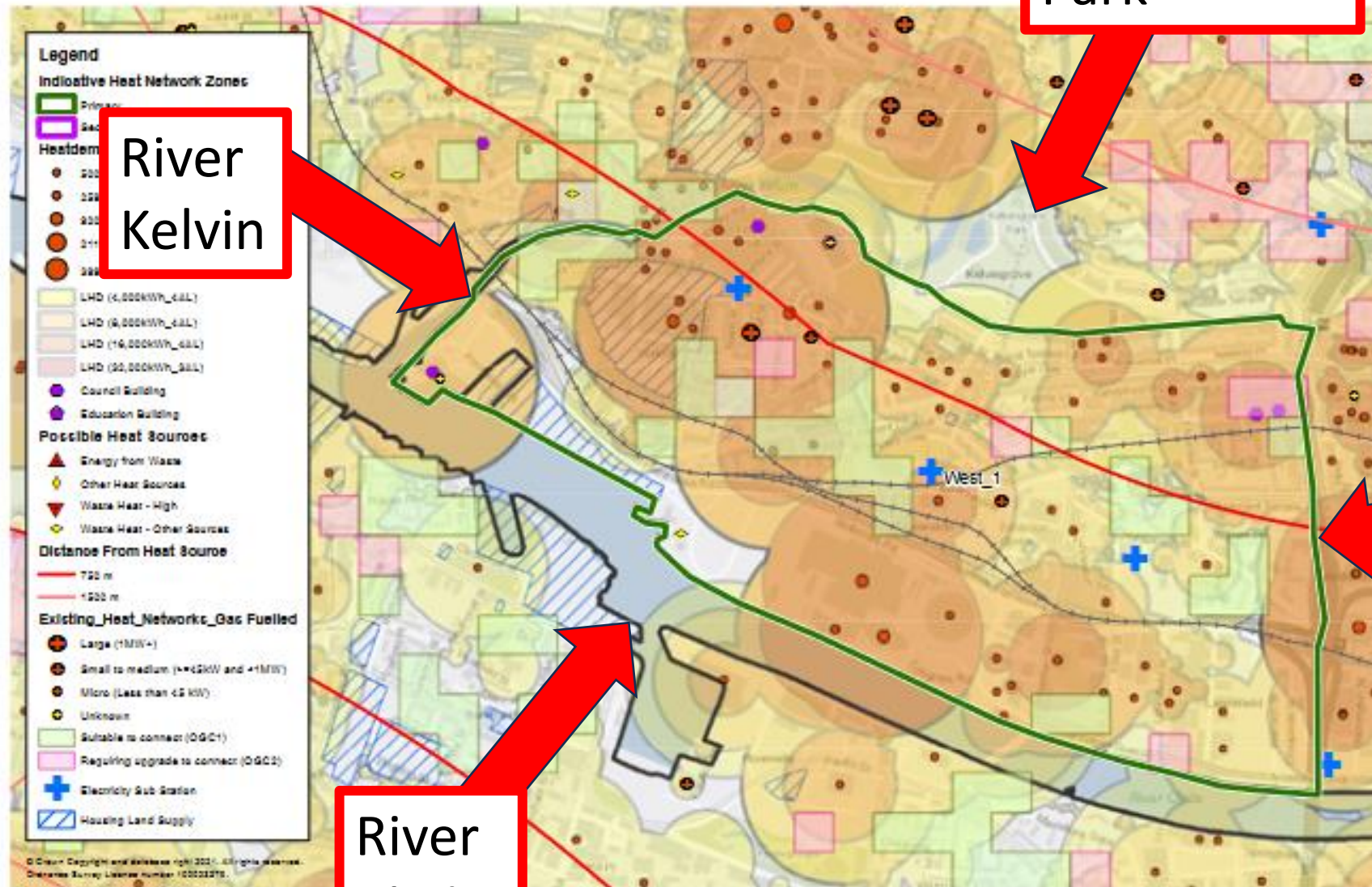


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# 8.1.4 IHNZ: West 1

Category: Primary



River Kelvin

Kelvingrove Park

M8

River Clyde

Figure 40 - West 1 Indicative Heat Network Zone



# 8.1.5 IHNZ: North West 1

Category: Primary

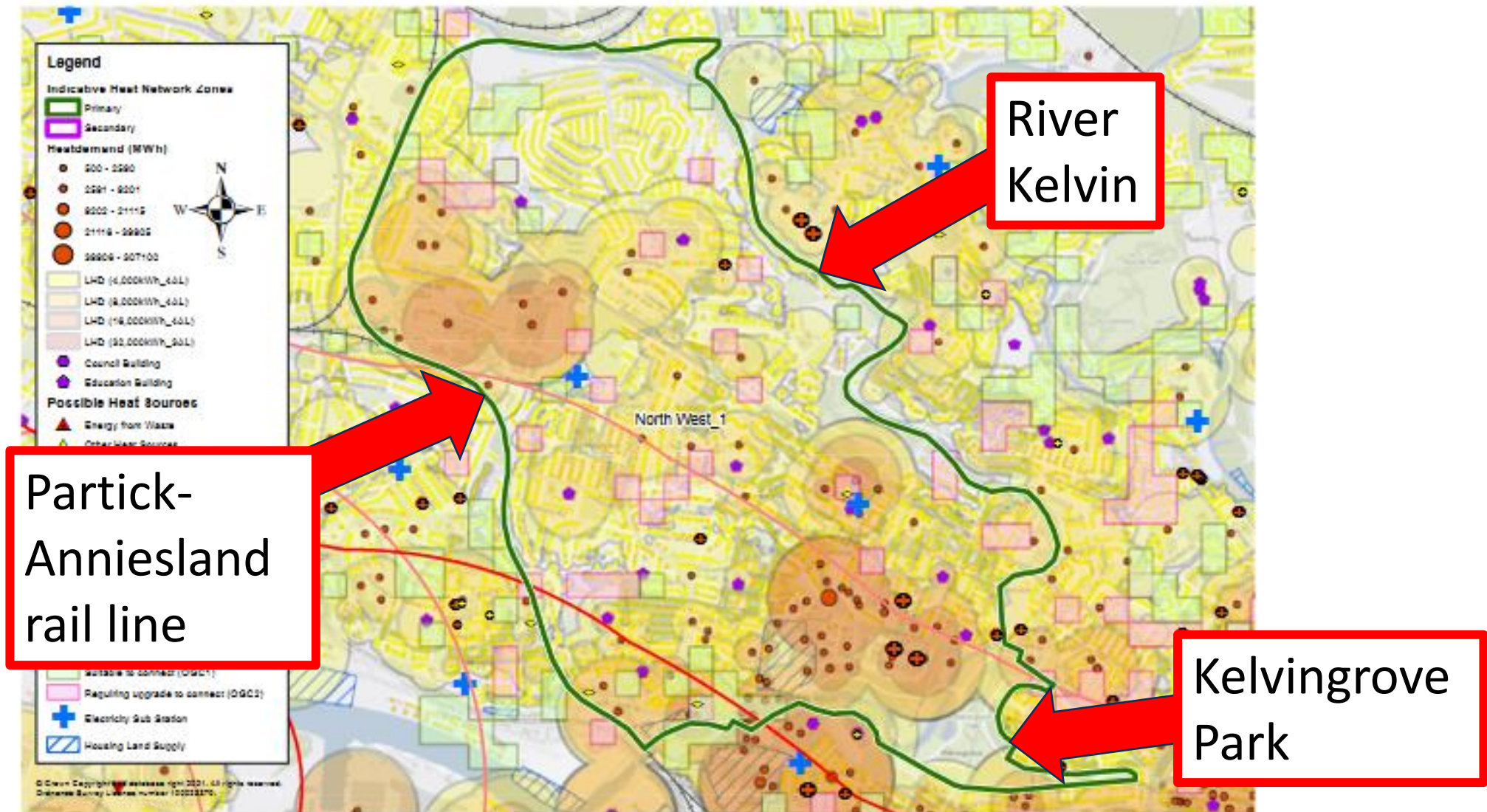


Figure 41 -Northwest 1 Indicative Heat Network Zone

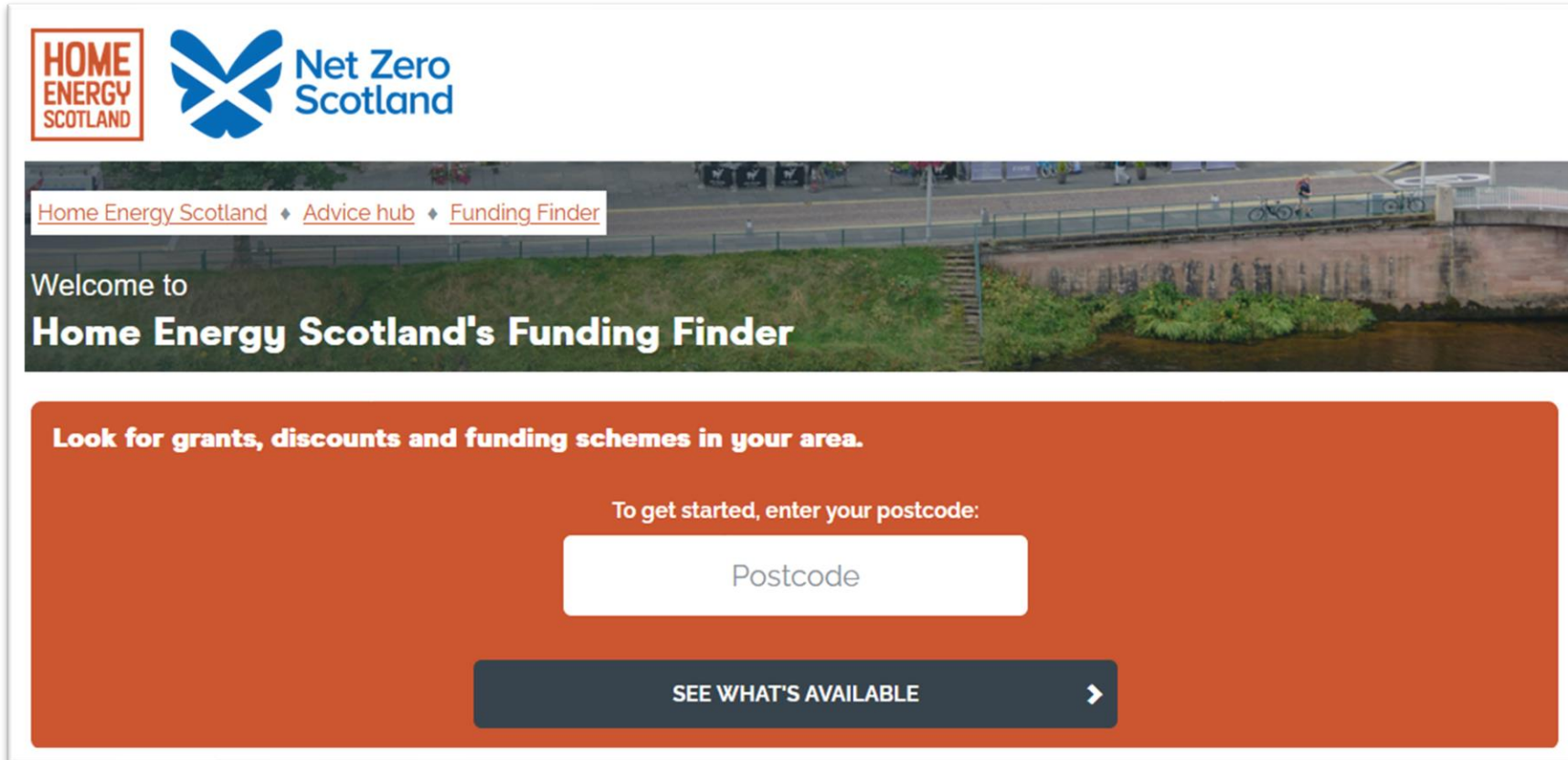
# Which heating system is best?

Is the property in a heat network zone?


Is the property suitable for a heat pump?

# Funding

## Home Energy Scotland funding finder



The screenshot shows the top section of the Home Energy Scotland website. At the top left, there are two logos: 'HOME ENERGY SCOTLAND' in a red box and the 'Net Zero Scotland' logo, which consists of a blue stylized 'X' shape. Below the logos is a navigation breadcrumb: 'Home Energy Scotland > Advice hub > Funding Finder'. The main heading reads 'Welcome to Home Energy Scotland's Funding Finder'. Below this is a large orange banner with the text 'Look for grants, discounts and funding schemes in your area.' and 'To get started, enter your postcode:'. There is a white input field for the postcode and a dark grey button with the text 'SEE WHAT'S AVAILABLE' and a right-pointing arrow.

**HOME ENERGY SCOTLAND**  **Net Zero Scotland**

[Home Energy Scotland](#) > [Advice hub](#) > [Funding Finder](#)

Welcome to  
**Home Energy Scotland's Funding Finder**

**Look for grants, discounts and funding schemes in your area.**

To get started, enter your postcode:

**SEE WHAT'S AVAILABLE** >

# Private Rented Sector Landlord Loan

<6 properties: can borrow up to £100,000  
Interest free

6+ properties can borrow up to £250,000  
3.5% APR

Must be repaid within 8 years

## What the funding could cover

Below are examples of what the funding could cover. This list may not be definitive. Please speak to us to find out more about what is available to you. Call Home Energy Scotland on 0808 808 2282 for more details.

- [Boiler Replacements and Repairs](#)
- [Heating and Hot Water](#)
- [Improved Doors and Windows](#)
- [Thermostats and Heating Controls](#)
- [Cavity Wall Insulation](#)
- [Draught-proofing](#)
- [Floor Insulation](#)
- [Roof and Loft Insulation](#)
- [External Wall Insulation](#)
- [Internal Wall Insulation](#)
- [Tanks, Pipes and Radiator Insulation](#)
- [Energy Storage](#)
- [Wind Turbines](#)
- [Hydropower](#)
- [Solar Photovoltaics](#)
- [Biomass Heating](#)
- [Air Source Heat Pumps](#)
- [Solar Heating](#)
- [Ground Source Heat Pumps](#)

To see if you are eligible for this scheme, please contact us.

GET IN TOUCH

# What should I do now?

- Still at proposal stage
- Think about what work would be needed at your property should proposals become law
- Keep an eye on SAL enews updates

# Questions?

Tel: 0131 564 0100

Email: [advice@scottishlandlords.com](mailto:advice@scottishlandlords.com)

[www.scottishlandlords.com/resources](http://www.scottishlandlords.com/resources)



# Scottish Letting Day 2024



EPC – energy performance confusion

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## Sessions now available to attend

### Presidents 2

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Member insights – survive and thrive

### Presidents 1 (current room)

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Your tax return – key insights and top tips

### Moncrieff

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Buy-to-let market panel discussion

### Cap & Thistle

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Selling tenanted property (11.30 – 11.50)  
Organising common repairs in flats (11.55 – 12.15)

### Centenary

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SafeDeposits Scotland drop-in clinic (11.30 – 12.30)

Scottish Letting Day 2024





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# Scottish Letting Day 2024



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# Your tax return – key insights and top tips

**Scott Kennedy**  
EQ Accountants

Scottish Letting Day 2024

[eqaccountants.co.uk](http://eqaccountants.co.uk)

# Your tax return - key insights and top tips

Scott Kennedy, ACCA



With You.



# Are you claiming all allowable expenses?

Are you claiming all the costs you incur running your business?

- Mileage
- Conference fee
- SAL subscription
- Advertising for tenants
- Accountancy costs
- Utility and council tax
- Mortgage interest




# Timing of work

Can you accelerate any refurbishment work?

The work must be revenue in nature (repairs) and not capital.

As long as your business is able to afford the expenditure, and it is necessary.



A hand is shown from the bottom left, holding a glowing, neon-style outline of a house. The background is a soft blue gradient with bokeh light effects and a starburst near the house icon.

## Are you accounting for all your income?

- Has someone only paid 11 out of 12 months rent?
- Will increase your tax exposure, but necessary for cashflow.

## “ Payments on account (POAs) ”

- Under current tax rules there is one return due for submission on 31st Jan.
- A balance on account is payable on 31 Jan together with a first payment for the next year.
- A second payment on account will be payable on 31 Jul.
- Are you paying too much in advance?
- Submitting your tax return early will allow you to reduce POAs



“

## Don't wait until the deadline

- Your accountant will love you to provide as much information in an accessible format (as openly and easily) as possible.
- Every time they need to call you – it costs money.
- Will allow you to plan for any potential liability



”

# Books and records

- Good books and records are key
- Will make reporting easier
- HMRC queries can be dealt with quickly and easily
- Your accountant will love you





# Scottish tax rates (2024/25)



	Taxable Income	Scottish Tax Rate
Personal allowance	Up to £12,570	0%
Starter rate	£12,571 to £14,876	19%
Basic rate	£14,877 to £26,561	20%
Intermediate rate	£26,562 to £43,662	21%
Higher rate	£43,663 to £75,000	42%
Advanced rate	£75,001 to £125,140	45%
Top rate	Over £125,140	48%

Personal allowance is subject to tapering for income over £100,000 and removed from £125,140



# National Insurance (NI) rates

## **Class 2 NI**

Profits below £6,725

Can be paid voluntarily to protect your state pension

Profits over £6,725

2024/25 payable at £3.45 per week

## **Class 4 NI**

- Up to £12,570 nil
- £12,570 - £50,270 – 6%
- Over £50,270 – 2%

## **Employers NI**

- Employers NI has been raised from 13.8% to 15%
- Threshold for NI has been reduced to £5,000
- Employment allowance changes to £10,500

This could represent a significant increase in employers' liability, with larger employers facing an increased exposure to employers NI.



# Budget insights

## Double cab pickups

- The beneficial treatment of double cab pickups is being removed.
- Previously these would be treated as goods vehicles, which attracts favourable treatment for capital allowances and a flat rate for benefit-in-kind (BIK) assessment.
- These will now be treated as cars for capital allowances.
- They will be assessed based on their emissions for BIK purposes.

# Budget insights

## Capital Gains Tax

60-day reporting deadline

- Capital Gains Tax on residential property needs to be reported to HMRC and paid within 60 days of the disposal

CGT rates have moved

- Lower : from 10% to 18%
- Higher : from 20% to 24%



# Budget insights

## Furnished holiday lets

- Furnished holiday lets will be abolished from 06 April 25 for income tax and 01 April for Corporation tax.
- The implications of this are:
  - No capital allowances will be available
  - No gift holdover relief
  - No business asset disposal relief
  - Will still be subject to VAT
- Earnings will no longer form part of the net relevant earnings calculation for pension.
- Existing capital allowance pools will continue – do you have any unclaimed relief?



# Budget insights



## **Making Tax Digital for Income Tax Self Assessment – the taxman cometh**

### **April 2026:**

- Under new rules, landlords with income over £50,000 will have to submit quarterly reports of income with a final return due on 31 Jan.
- Payments will remain in line with the current Jan / Jul timetable.
- This will potentially increase your contact with an accountant – being driven by the taxman.

### **April 2027:**

- The above process will be rolled out to landlords with income between £30,000 and £50,000.

### **By the end of the Parliament:**

- Landlords with income over £20,000 will fall into the scheme.

### **Plan now:**

- Ahead of April deadline, consider system changes to ease transition and limit involvement of accountants. Opportunity to review financial performance quarterly and tweak accordingly.
- April 2026 will come round quickly
- It is important to be ready
- Implement changes now to make sure you are ready



# Scottish Letting Day 2024



Your tax return – key insights and top tips

**Help us plan our future conferences by letting us know your thoughts on this session by scanning the QR code below**



Scottish Letting Day 2024



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LETTING  
DAY

# Scottish Letting Day 2024



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## Scottish Letting Day

Lunch is now served in the exhibition area

Speaker programme resumes at 13.20

Please visit our exhibitors' stands

Conference partner:



Conference sponsors:



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# Scottish Letting Day 2024



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# Scottish Letting Day

Conference and exhibition 19 November 2024

#LettingDay

Conference partner:



Conference sponsors:



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unihomes.



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# Scottish Letting Day 2024



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# Do you know what to expect at the First-tier Tribunal?

**Kirstie Donnelly**  
TC Young Solicitors

Scottish Letting Day 2024

# What to expect at the First-tier Tribunal

What happens at a Case Management Discussion?



**tc young**

The Scottish law firm with **you** at its centre

# Welcome to the First-tier Tribunal (FTT)

- A typical Case Management Discussion (CMD)
- We will conduct 2 mock CMDs; rent arrears and intention to sell
- Legal Member + Ordinary Member
- Applicant representative (landlord's solicitor)
- Respondent (tenant representing themselves)



# “Mock” CMDs

- No resemblance is intended of any person (living or dead)
- Designed to demonstrate the typical problems encountered in CMDs
- Provide an insight into the FTTs considerations, questions asked, and evidence required

# Other FTT hearings

CMDs also take place for other application types; tenancy deposit claims, wrongful termination orders

CMD = procedural = first calling

Hearing = evidential = 'proof' evidence heard like a trial

# Other eviction grounds

Hope mock CMDs will be useful

Briefly discuss evidence for some other eviction grounds

Q & A at end

# Getting to the CMD

Not physically, as most continue to be by Teleconference

What procedure has come before?

*Notice* – 2 weeks/2 months/28 days/84 days

Lodging application > acknowledgement > acceptance > CMD assigned > written representations from tenant? v postponement/request? > **CMD**



# Purpose of the CMD

## Tribunal rules Rule 17

1. The First-tier Tribunal must give each party *reasonable notice* of the date, time and place of a case management discussion and any changes to the date, time and place of a case management discussion.
2. The purpose of a case management discussion is to enable the First-tier Tribunal to *explore how the parties' dispute may be efficiently resolved*, including by—
  - a) identifying the issues to be resolved;
  - b) identifying what facts are agreed between the parties;
  - c) raising with parties any issues it requires to be addressed;
  - d) discussing what witnesses, documents and other evidence will be required;
  - e) discussing whether or not a hearing is required; and
  - f) discussing an application to recall a decision.
3. The First-tier Tribunal *may* do anything at a case management discussion which it may do at a hearing, *including making a decision*.

# Case 1: rent arrears Mr Adams v Miss Brown

- PRT – started 2 June 2022
- Rent - £ 750 pcm
- Notice to Leave served 3 April 2024; ground 12
- Rent arrears currently £5,300
- Now calls for CMD



# Evidence

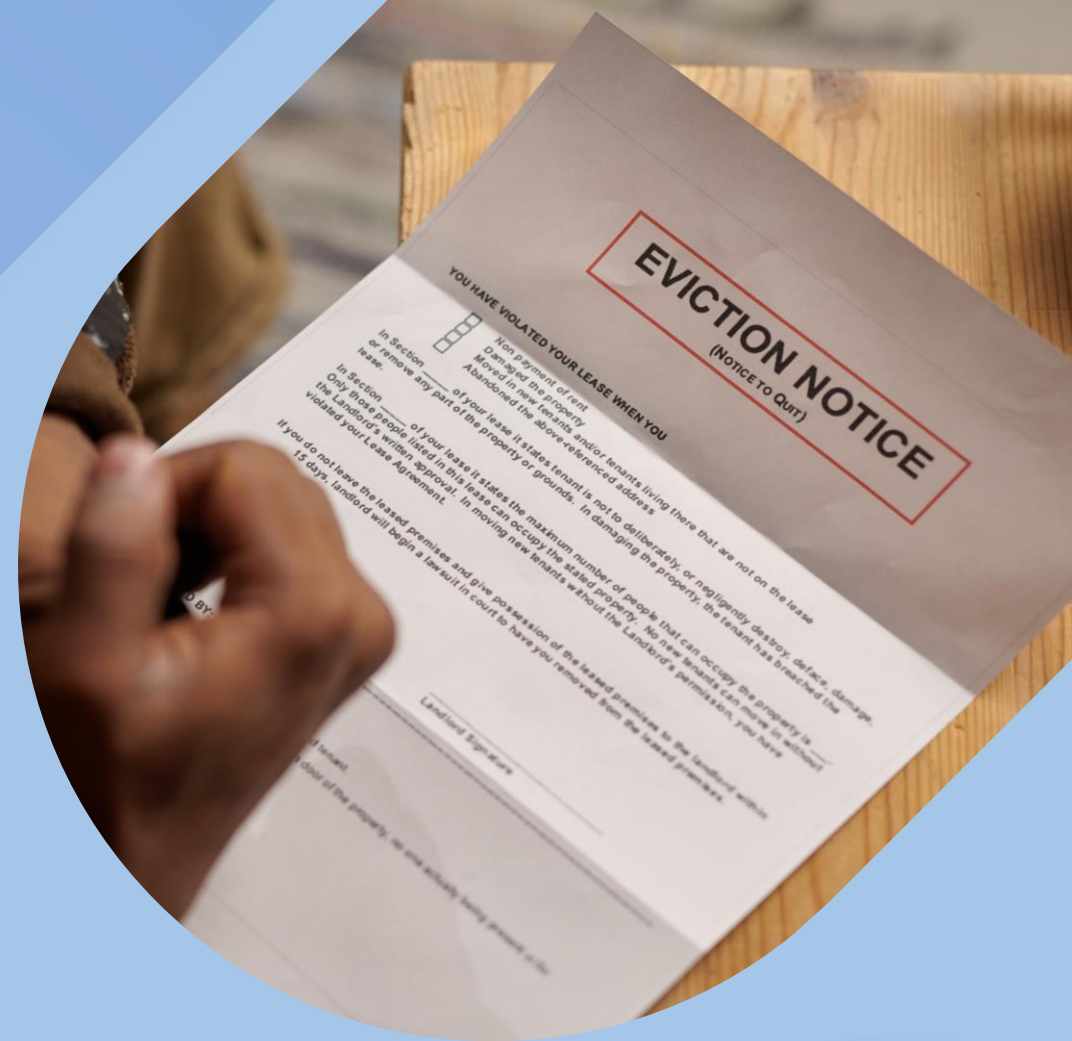
## Rent statement

Date	Amount Due	Received from Tenant	Balance
02/06/2022	£750.00		£750.00
02/06/2022		£750.00	£0.00
02/07/2022	£750.00		£750.00
02/07/2022		£750.00	£0.00
02/08/2022	£750.00		£750.00
02/08/2022		£750.00	£0.00
02/09/2022	£750.00		£750.00
02/09/2022		£750.00	£0.00
02/10/2022	£750.00		£750.00
02/10/2022		£750.00	£0.00
02/11/2022	£750.00		£750.00
02/11/2022		£750.00	£0.00
02/12/2022	£750.00		£750.00
02/12/2022		£750.00	£0.00
02/01/2023	£750.00		£750.00
02/01/2023		£750.00	£0.00
02/02/2023	£750.00		£750.00
02/02/2023		£750.00	£0.00
02/03/2023	£750.00		£750.00
02/03/2023		£750.00	£0.00
02/04/2023	£750.00		£750.00
02/04/2023		£750.00	£0.00
02/05/2023	£750.00		£750.00
02/05/2023		£750.00	£0.00
02/06/2023	£750.00		£750.00
02/06/2023		£750.00	£0.00
02/07/2023	£750.00		£750.00
02/07/2023		£750.00	£0.00

02/08/2023	£750.00		£750.00
02/08/2023		£750.00	£0.00
02/09/2023	£750.00		£750.00
02/09/2023		£750.00	£0.00
02/10/2023	£750.00		£750.00
02/10/2023		£750.00	£0.00
02/11/2023	£750.00		£750.00
02/11/2023		£400.00	£350.00
02/12/2023	£750.00		£1,100.00
02/12/2023		£300.00	£800.00
02/01/2024	£750.00		£1,550.00
02/01/2024		£1,200.00	£350.00
02/02/2024	£750.00		£1,100.00
02/02/2024		£750.00	£350.00
02/03/2024	£750.00		£1,100.00
02/03/2024		£200.00	£900.00
02/04/2024	£750.00		£1,650.00
02/04/2024		£200.00	£1,450.00
02/05/2024	£750.00		£2,200.00
02/05/2024		£200.00	£2,000.00
02/06/2024	£750.00		£2,750.00
02/06/2024		£200.00	£2,550.00
02/07/2024	£750.00		£3,300.00
02/07/2024		£200.00	£3,100.00
02/08/2024	£750.00		£3,850.00
02/08/2024		£200.00	£3,650.00
02/09/2024	£750.00		£4,400.00
02/09/2024		£200.00	£4,200.00
02/10/2024	£750.00		£4,950.00
02/10/2024		£200.00	£4,750.00
02/11/2024	£750.00		£5,500.00
02/11/2024		£200.00	£5,300.00

# Decision?

- Eviction order
- Further case management discussion
- Hearing



## Case 2: intention to sell Mrs Smith v Mr Jones

- PRT – started 1 April 2024
- Rent - £ 2500 pcm (Mr Jones is not in any arrears)
- Notice to Leave served Ground 1 on 22 May 2024
- FTT Form E application lodged on 24 June 2024
- Now calls for CMD



# Evidence

7 West George Street,  
Glasgow,  
G2 1BA  
DX GW 78 Glasgow

**tc young** solicitors  
effective legal solutions

Melrose House,  
69a George Street,  
Edinburgh, EH2 2JG  
DX: ED112 Edinburgh

---

Mrs Smith  
*by email only*

Our Ref: SAL/ KID/T C Y00-236  
**Please reply to our Glasgow Office**

Your Ref:

Date: 5 June 2024

Dear Mrs Smith

**Sale of: Your Flat, Edinburgh, EH1 2BY**  
**Terms of Business**

Thank you for your recent instruction.

We are delighted to act in the sale of your property. Please find enclosed terms of business.

We understand the property is currently tenanted and will be marketed once vacant possession is obtained.

**tc young**

# Decision?

- Eviction order
- Further case management
- Hearing



# Other eviction cases at FTT

- Assured and short assured tenancies
- Includes *previously* mandatory Section 33 evictions  
No AT5? = No S33 eviction
- Anti-social behaviour
- Breach of tenancy
- Condition of property
- Photos and vouching for costs
- Evidence and witnesses = *Important!*



# Kirstie Donnelly

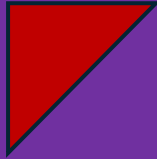
Associate solicitor

Email: [kid@tcyoung.co.uk](mailto:kid@tcyoung.co.uk) / [prs@tcyoung.co.uk](mailto:prs@tcyoung.co.uk)

Tel: 0141 225 2577 / 0141 221 5562



**tc young**



# Scottish Letting Day 2024



Do you know what to expect at the First-tier Tribunal?

Help us plan our future conferences by letting us know your thoughts on this session by scanning the QR code below





# Scottish Letting Day 2024



## Sessions now available to attend

**Presidents 2**

Buy-to-let market panel discussion

---

**Presidents 1 (current room)**

EPC - energy performance confusion

---

**Moncrieff**

Talking Deposits LIVE

---

**Cap & Thistle**

Private renting - then and now

---

**Centenary**

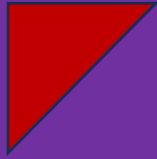
Customer service circus – juggling property management with a smile

---

Scottish Letting Day 2024



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# Scottish Letting Day 2024



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# **EPC – energy performance confusion**

**Caroline Elgar**

Scottish Association of Landlords

Scottish Letting Day 2024

# EPC- energy performance confusion

Dispelling the myths and exploring the current proposals for improving the energy efficiency of homes in the private rented sector (PRS)



# Confusion

Do I need a minimum energy performance certificate (EPC)  
rating now?

Do I need one in the future?

Will I be able to get my property compliant?

What about listed buildings/period features?

## **April 2017 consultation**

E by 1 April 2019 (change of tenancy)

E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

## May 2018 consultation

E by ~~1 April 2019~~ **1 April 2020** (change of tenancy)

E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

**C by 2030 (all PRS properties)**



## March 2019 consultation

E by 1 April 2020 (change of tenancy)  
E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)  
D by 31 March 2025 (all PRS properties)

C by 1 April 2025 (change of tenancy)  
C by 2030 (all PRS properties)

## January 2020

E by ~~1 April 2020~~ **1 October 2020** (change of tenancy)

E by 31 March 2022 (all PRS properties)

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

C by 1 April 2025 (change of tenancy)

C by 2030 (all PRS properties)

DRAFT SCOTTISH STATUTORY INSTRUMENTS

---

**2020 No.**

**ENERGY CONSERVATION**

The Energy Efficiency (Domestic Private Rented Property)  
(Scotland) Regulations 2020

26 January 2020 - laid before parliament

11 March 2020 – approved by parliament

**26 March 2020 - withdrawn**

1 April 2020 – due to become law

## November 2020

~~E by 1 October 2020 (change of tenancy)~~

~~E by 31 March 2022 (all PRS properties)~~

D by 1 April 2022 (change of tenancy)

D by 31 March 2025 (all PRS properties)

C by 1 April 2025 (change of tenancy)

C by 2030 (all PRS properties)

Government advises SAL that regulations will be  
reintroduced in Spring 2021

## January 2021

~~D by 1 April 2022 (change of tenancy)~~

~~D by 31 March 2025 (all PRS properties)~~

~~C by 1 April 2025 (change of tenancy)~~

~~C by 2030 (all PRS properties)~~

Government decides to pause the laying of regulations due to ongoing Covid 19 pandemic

## July 2021 and July 2023 consultations

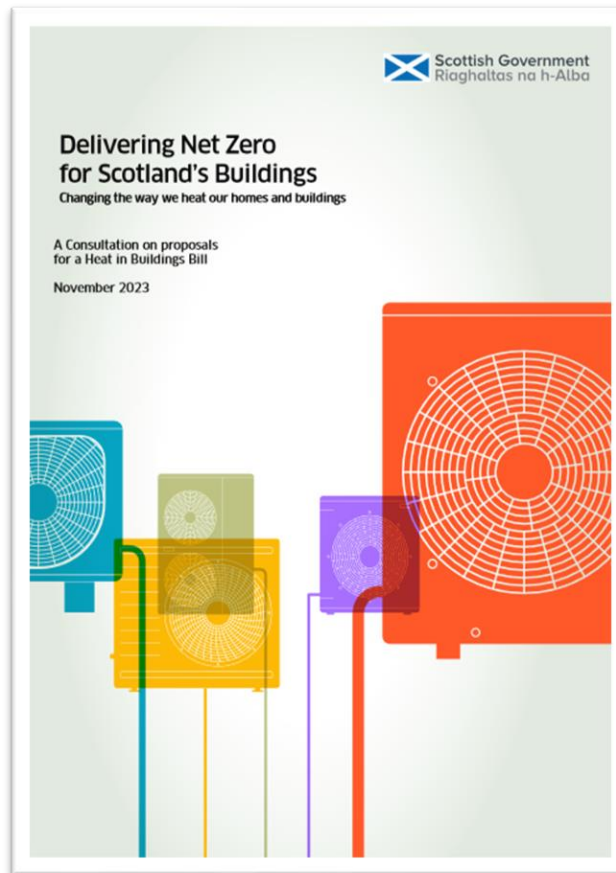
Reforming EPC report to change headline metrics

Proposal to reduce the EPC validity from 10 years to 5 years

<b>Proposed Metric</b>	<b>Description</b>	<b>Display</b>
Fabric Rating	Efficiency of the building fabric	A-G scale and kWh/m <sup>2</sup> /yr
Energy Cost Rating	Running cost per year (based on £/m <sup>2</sup> /yr)	A-G scale with 1-100 rating
Heating System Type	Type of heating system	Heating system classification (zero direct emissions or not, and efficiency)

# November 2023 consultation

New proposals published in Heat in Buildings consultation



None of what we have discussed so far  
has become law

There are currently no  
minimum standards



# **Heat in Buildings consultation proposals**

## **1. Minimum energy efficiency standard**

By 2028 (PRS) and 2033 (owner occupied)

## **2. Clean heating system**

By 2045

## Minimum energy efficiency standard - 2028

We think that this list could be<sup>14</sup>:

- 270 mm loft insulation;
- cavity wall insulation (CWI);
- draught-proofing;
- heating controls;
- 80 mm hot water cylinder insulation;
- Suspended floor insulation<sup>15</sup>.



Or – “good level” of fabric efficiency (equivalent to EPC C)

## Clean heating system - 2045

Polluting heating systems	Clean heating systems
Burn fossil fuels and emit CO <sub>2</sub> at the point of use	Don't produce any CO <sub>2</sub> emissions at the point of use
Gas boilers	Heat pumps
Oil boilers	Heat networks
LPG boilers	Electric storage heaters
	Electric boilers
	Other electric heating technologies

Ground floor 1890s tenement flat with solid stone walls and combi boiler



## Ground floor 1890s tenement flat with solid stone walls and combi boiler

### 2028 requirements:

270mm loft insulation

N/A

Cavity wall insulation

N/A

Draught proofing

Already in place

Heating controls

Already in place

80mm hot water cylinder insulation

N/A

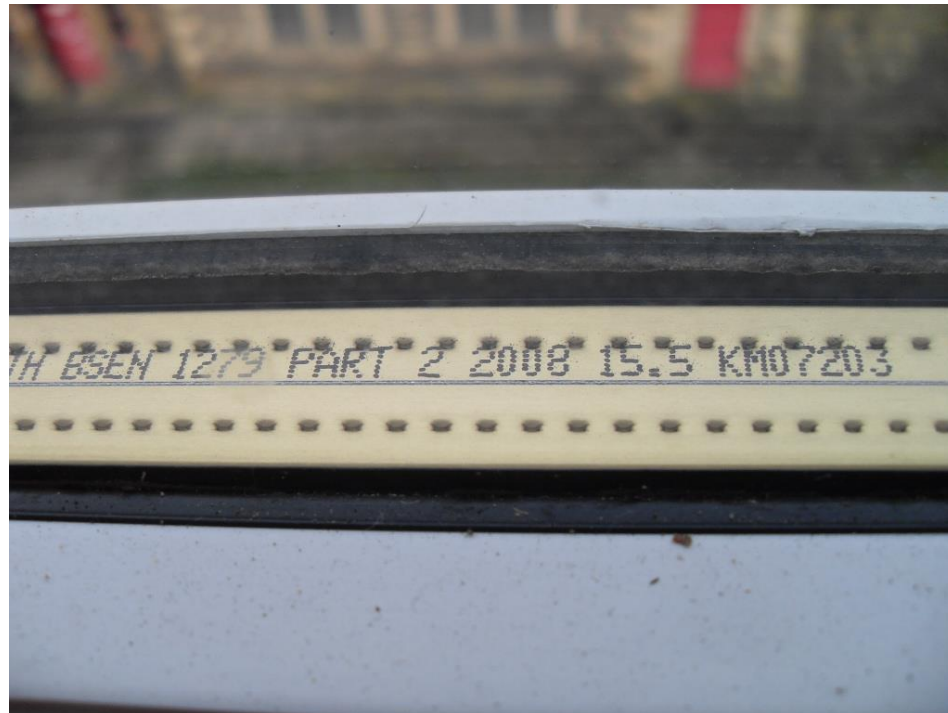
Suspended floor insulation

**Required**

### 2045 requirements:

**Combi boiler will need to be replaced with a clean heating system**

**Top floor 1890s tenement flat with solid stone walls and combi boiler**



## Top floor 1890s tenement flat with solid stone walls and combi boiler

### 2028 requirements:

270mm loft insulation

**Required**

Cavity wall insulation

N/A

Draught proofing

Already in place

Heating controls

**Required**

80mm hot water cylinder insulation

N/A

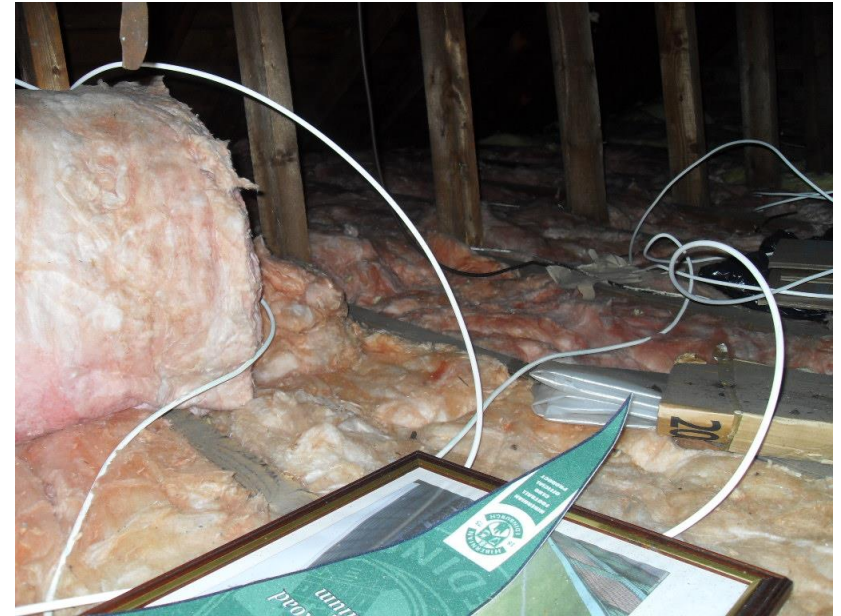
Suspended floor insulation

N/A

### 2045 requirements:

**Combi boiler will need to be replaced with a clean heating system**

**Upper villa 4 in a block 1930s build with uninsulated cavity wall and electric storage heating**





## Upper villa 4 in a block 1930s build with uninsulated cavity wall and electric storage heating

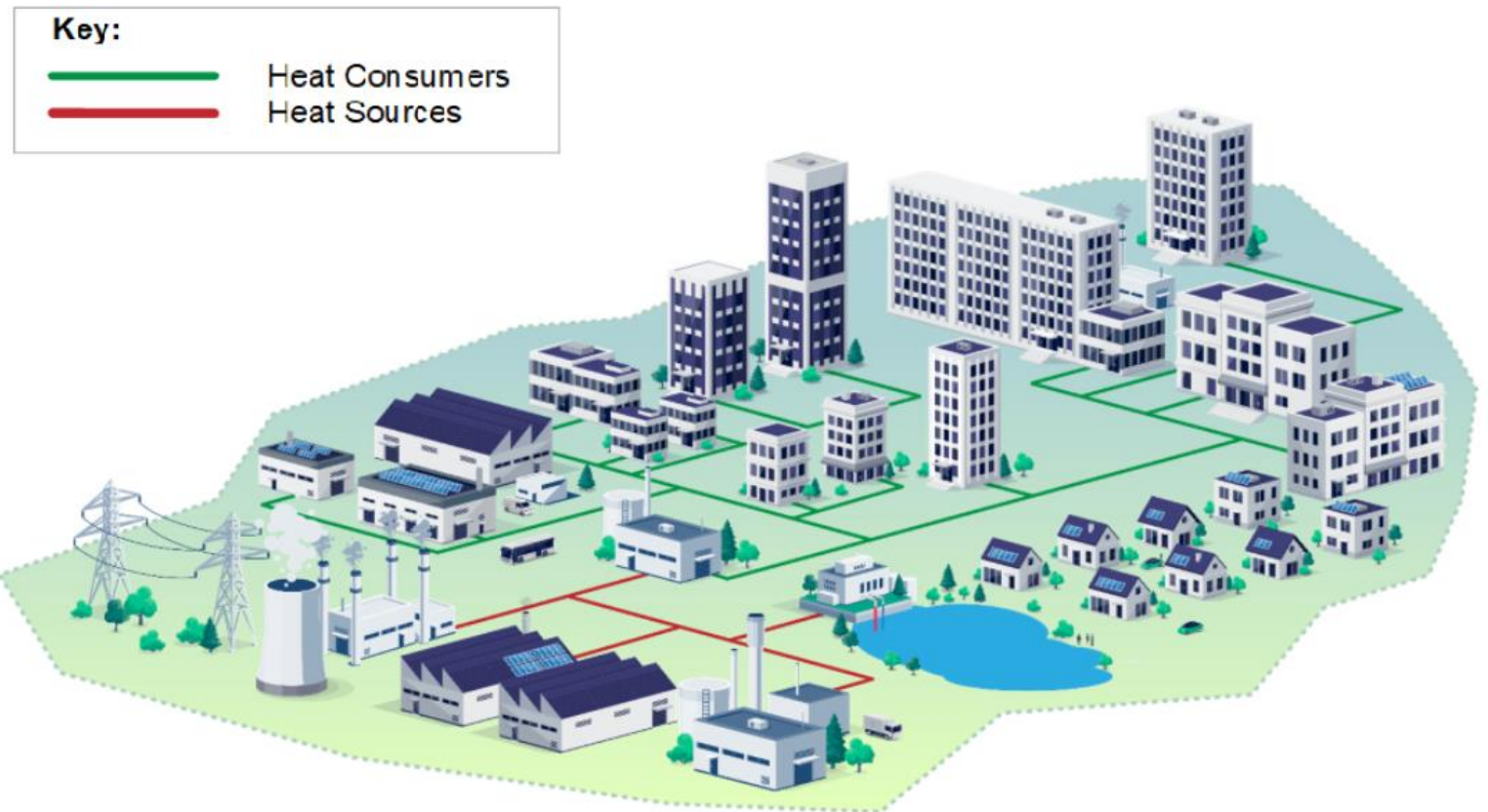
### 2028 requirements:

270mm loft insulation	Already in place
Cavity wall insulation	<b>Required</b>
Draught proofing	Already in place
Heating controls	Already in place
80mm hot water cylinder insulation	Already in place
Suspended floor insulation	N/A

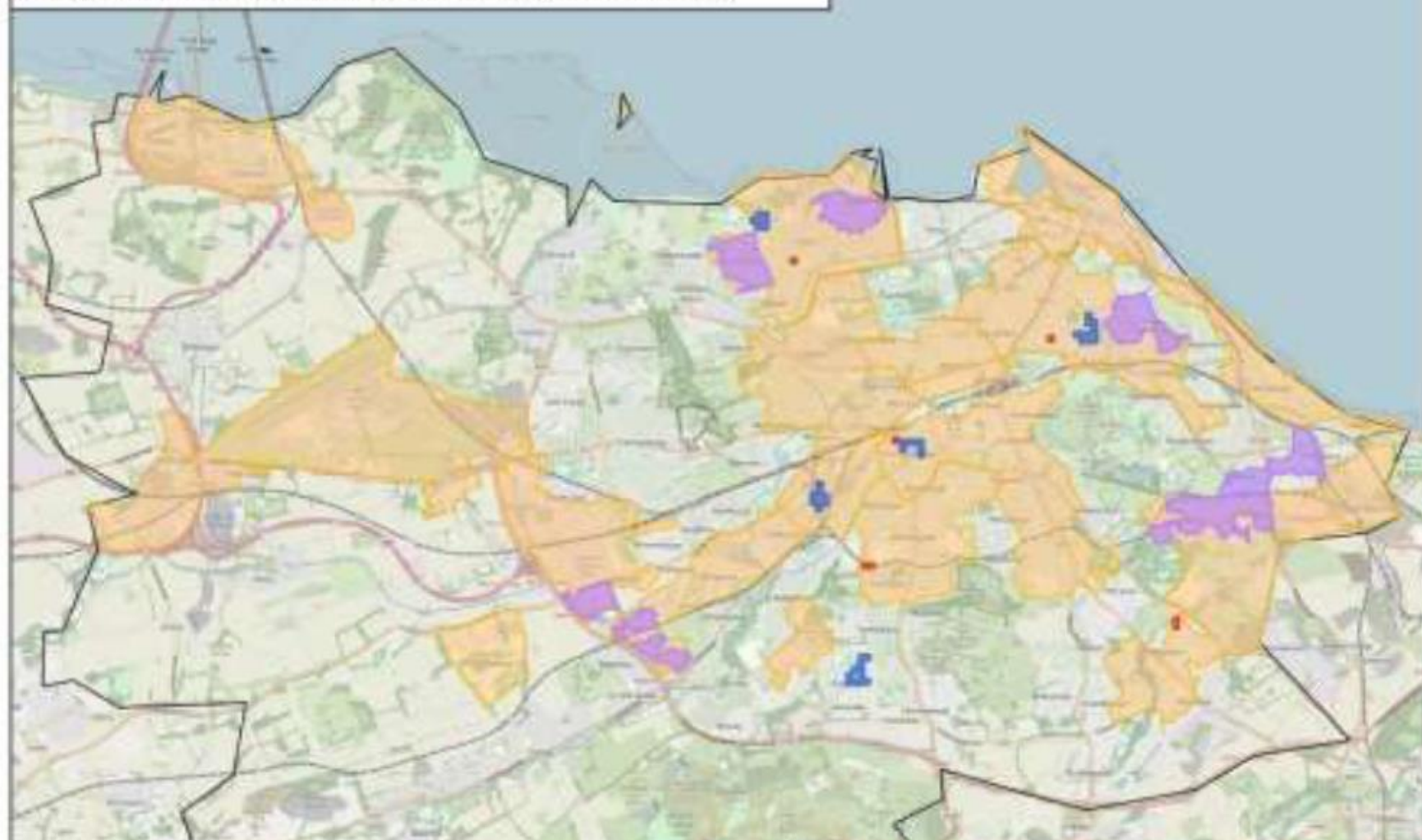
### 2045 requirements:

No changes needed as property already has a clean heating system

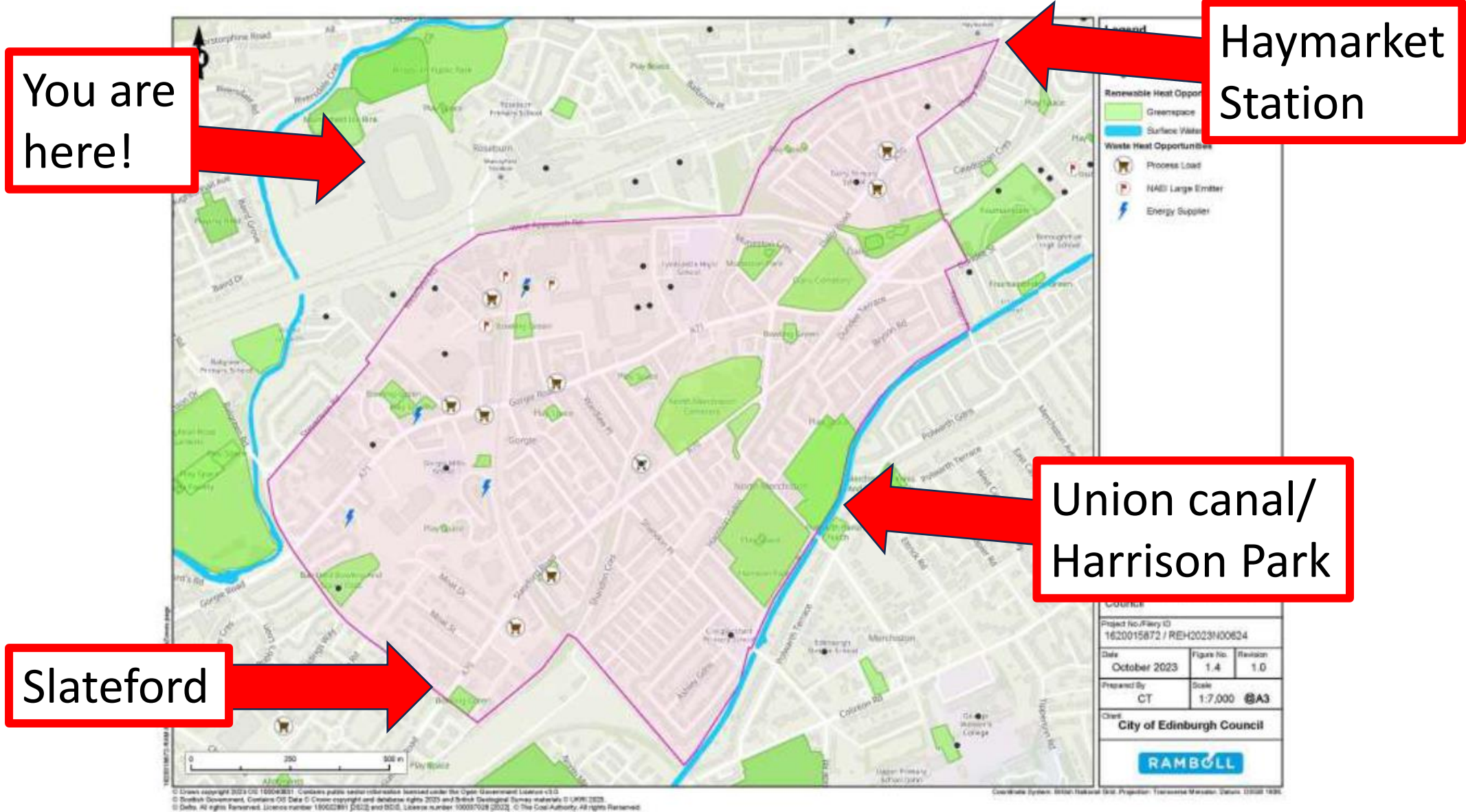
# Clean heating systems



## Prospective delivery areas and heat networks



- On Gas Category 1 Areas
- Off Gas Category 1 Areas
- Prospective High Priority Delivery Area
- Prospective Heat Network Zones
- Local Authority Boundary



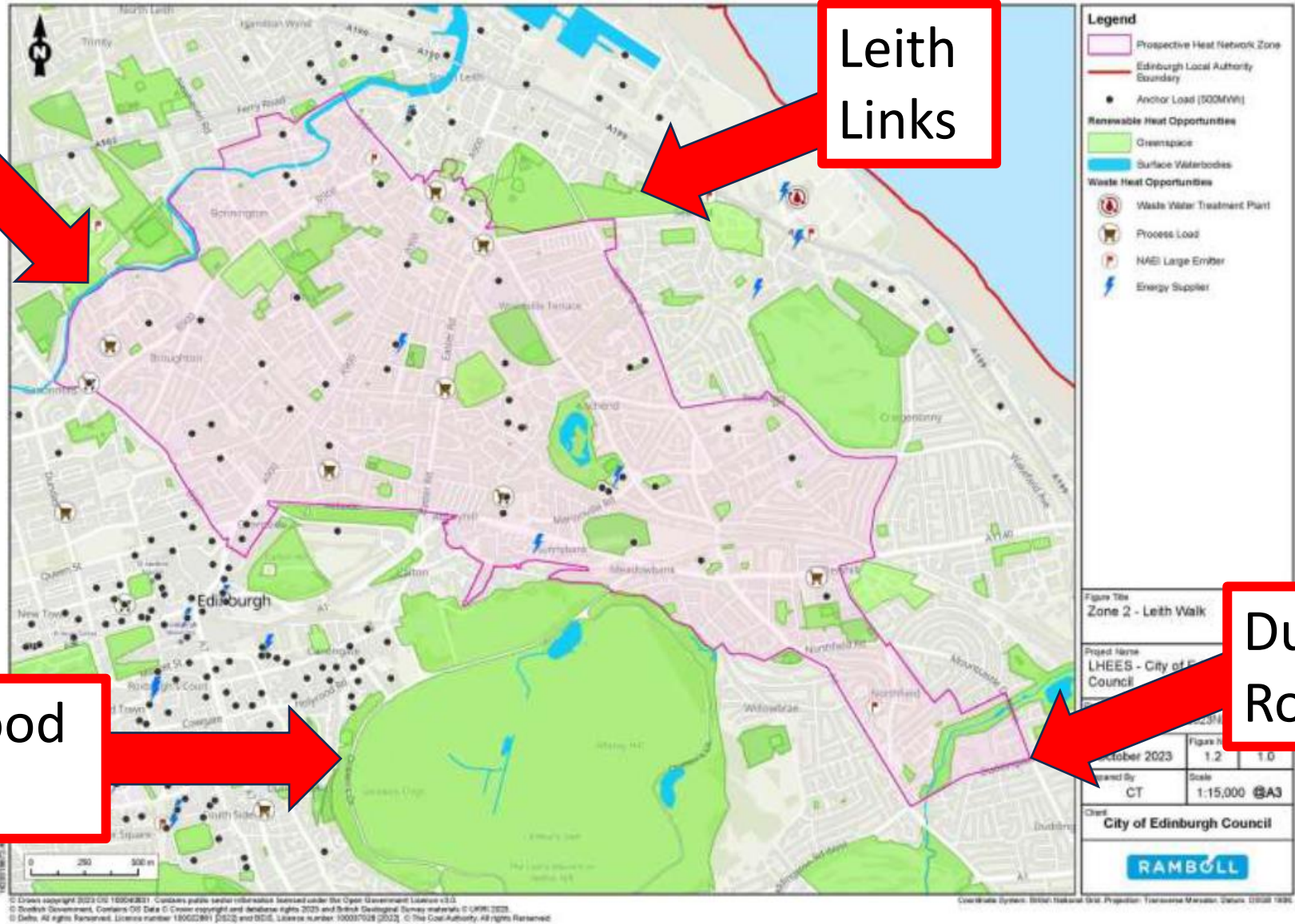
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Water of Leith

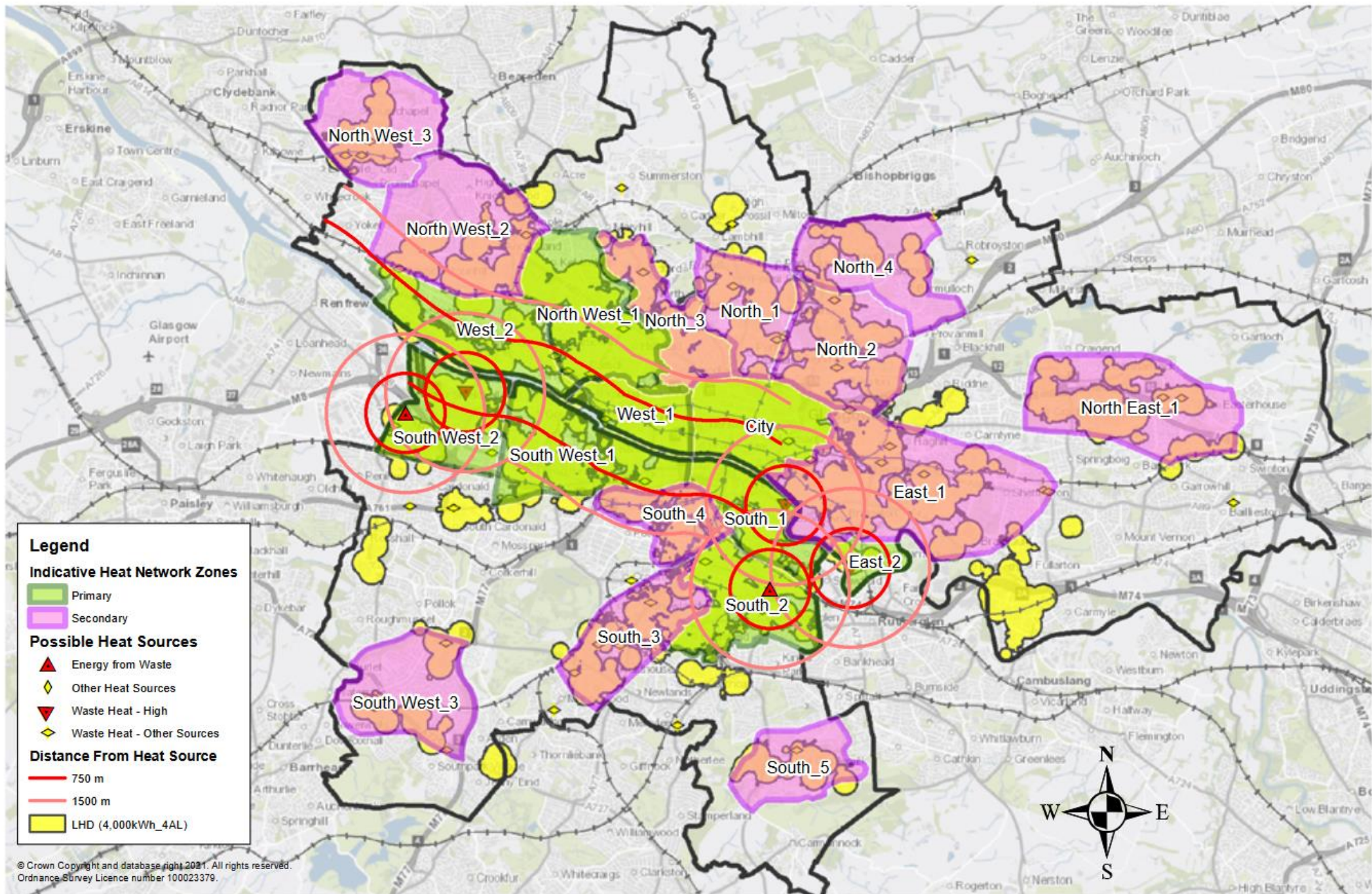
Leith Links

Holyrood Park

Duddingston Road



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**Legend**

**Indicative Heat Network Zones**

- Primary
- Secondary

**Possible Heat Sources**

- Energy from Waste
- Other Heat Sources
- Waste Heat - High
- Waste Heat - Other Sources

**Distance From Heat Source**

- 750 m
- 1500 m
- LHD (4,000kWh\_4AL)

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# 8.1.4 IHNZ: West 1

Category: Primary

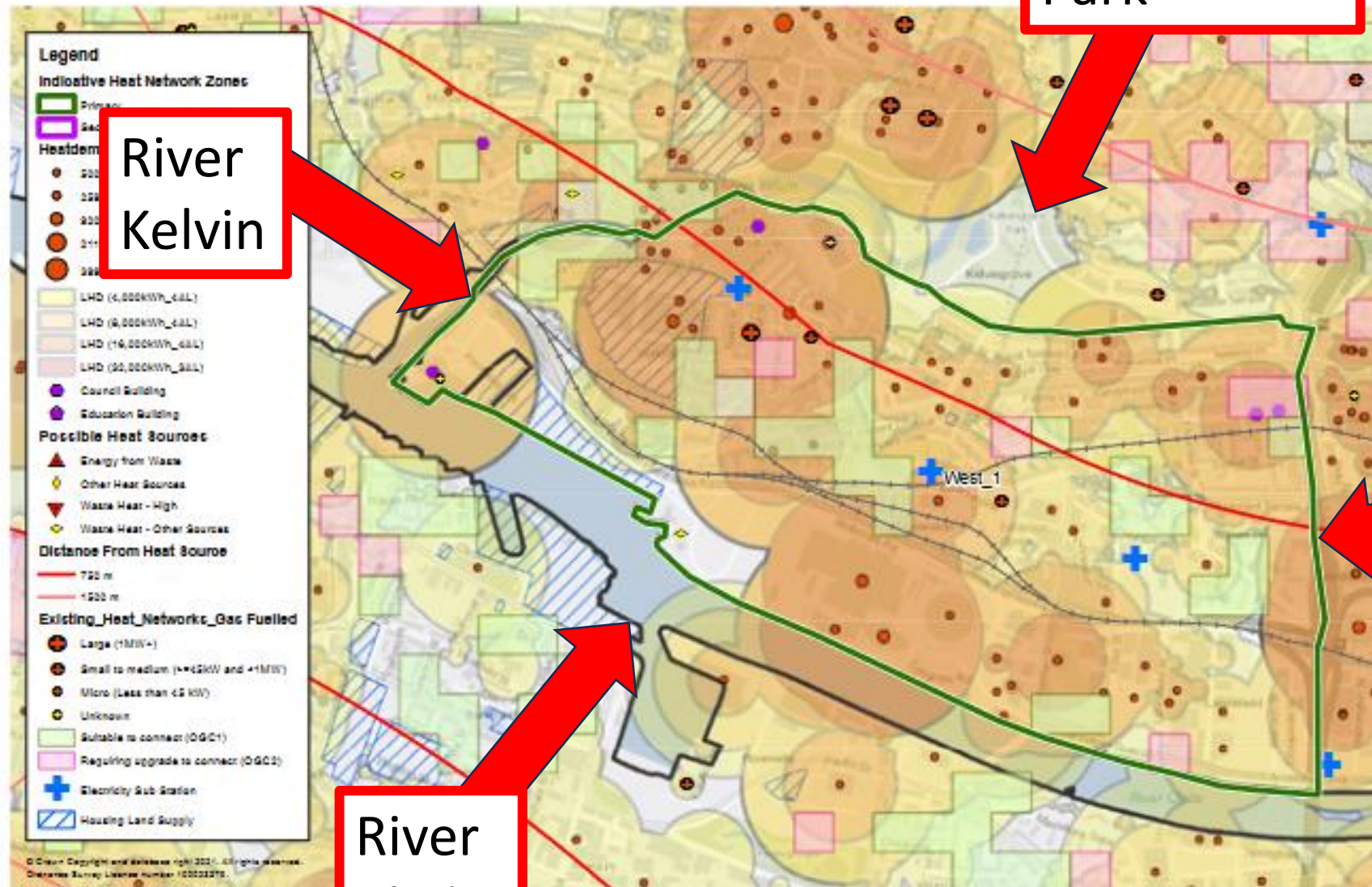


Figure 40 - West 1 Indicative Heat Network Zone

# 8.1.5 IHNZ: North West 1

Category: Primary

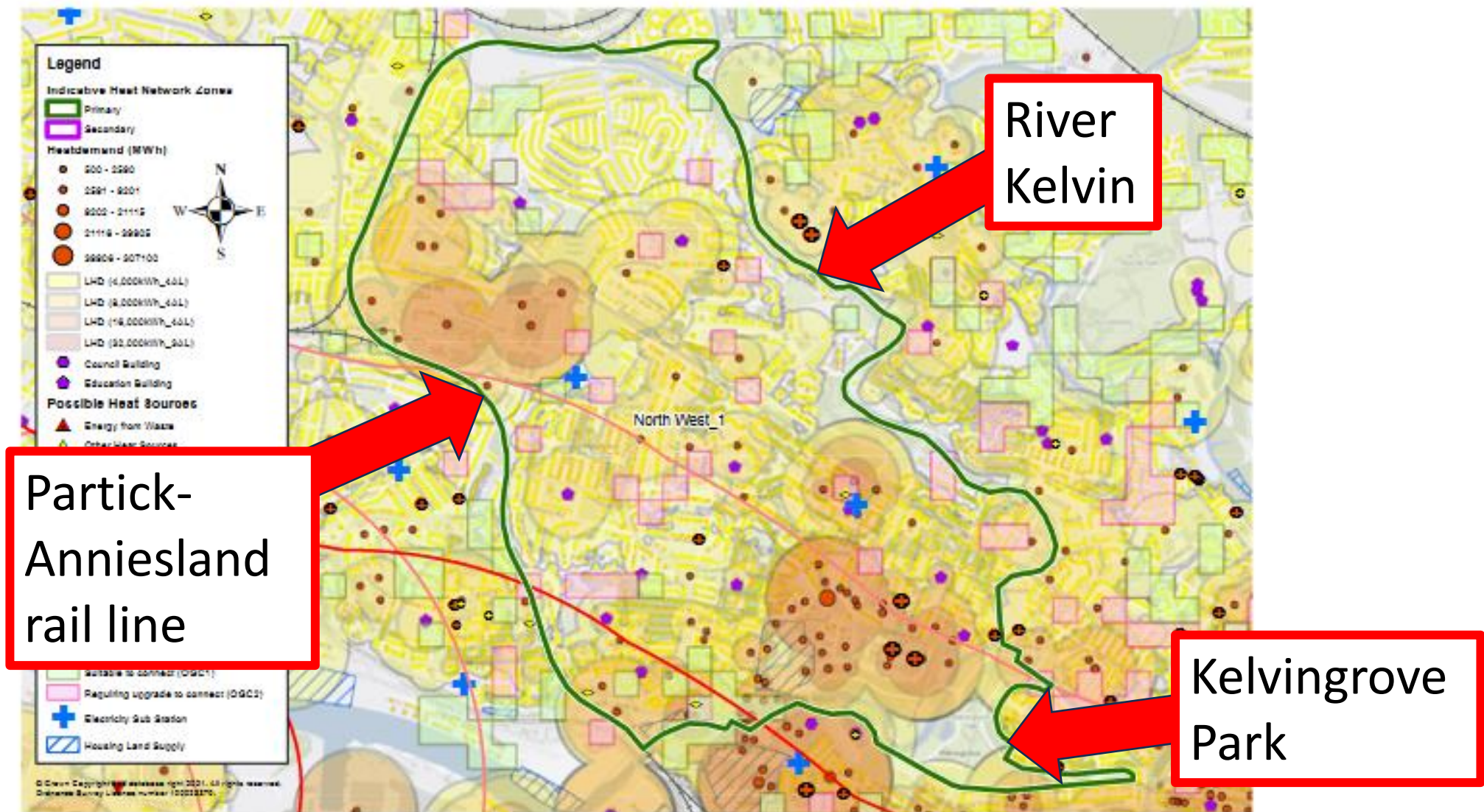


Figure 41 -Northwest 1 Indicative Heat Network Zone



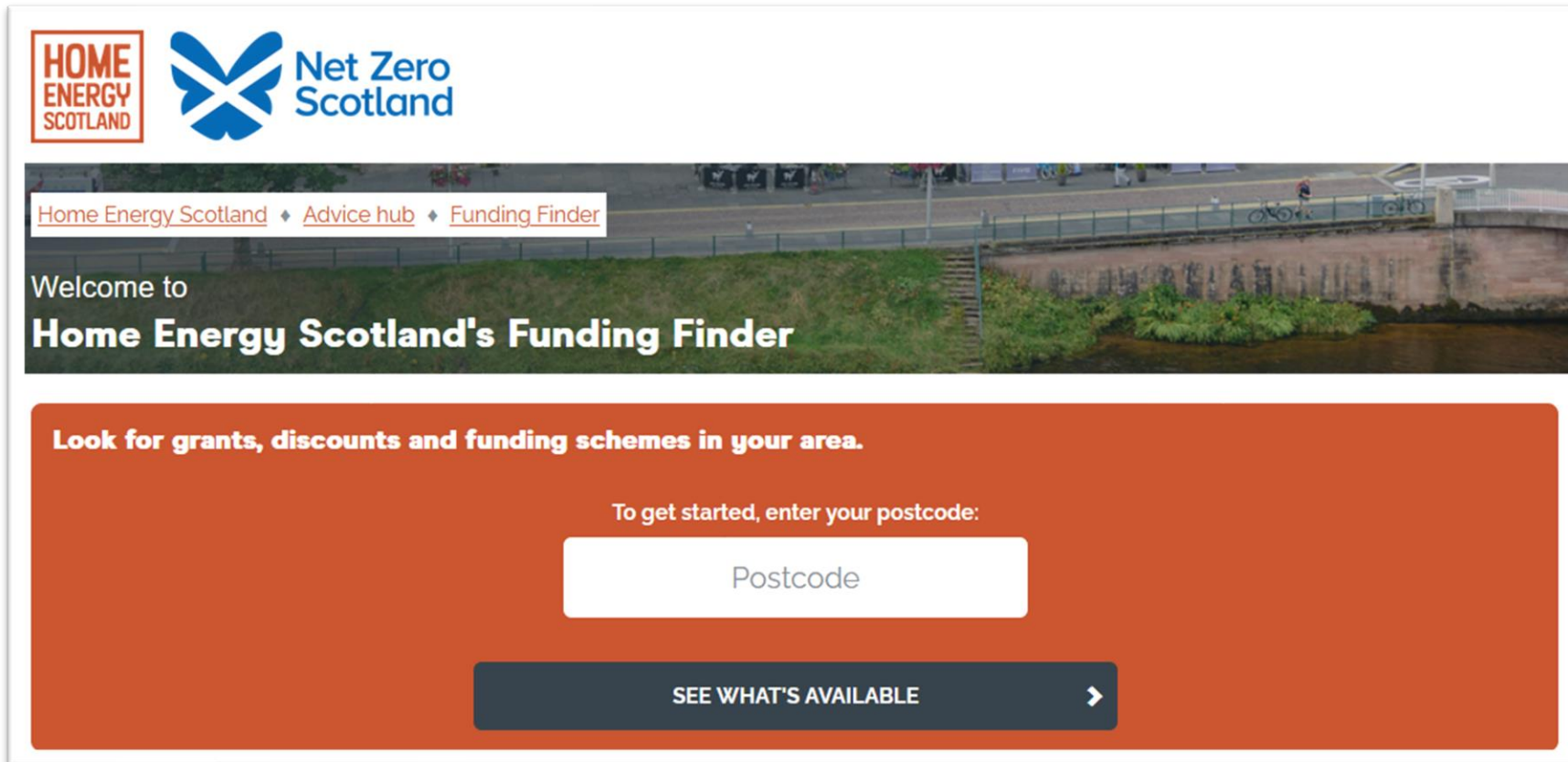
# Which heating system is best?

Is the property in a heat network zone?


Is the property suitable for a heat pump?

# Funding

## Home Energy Scotland funding finder



The screenshot shows the top section of the Home Energy Scotland website. At the top left, there are two logos: 'HOME ENERGY SCOTLAND' in a red box and the 'Net Zero Scotland' logo, which consists of a blue stylized 'X' shape. Below the logos is a navigation breadcrumb: 'Home Energy Scotland > Advice hub > Funding Finder'. The main heading reads 'Welcome to Home Energy Scotland's Funding Finder'. Below this is a large orange banner with the text 'Look for grants, discounts and funding schemes in your area.' and 'To get started, enter your postcode:'. There is a white input field for the postcode and a dark grey button with the text 'SEE WHAT'S AVAILABLE' and a right-pointing arrow.

**HOME ENERGY SCOTLAND**  **Net Zero Scotland**

[Home Energy Scotland](#) > [Advice hub](#) > [Funding Finder](#)

Welcome to  
**Home Energy Scotland's Funding Finder**

**Look for grants, discounts and funding schemes in your area.**

To get started, enter your postcode:

**SEE WHAT'S AVAILABLE** >

# Private Rented Sector Landlord Loan

<6 properties: can borrow up to £100,000  
Interest free

6+ properties can borrow up to £250,000  
3.5% APR

Must be repaid within 8 years

## What the funding could cover

Below are examples of what the funding could cover. This list may not be definitive. Please speak to us to find out more about what is available to you. Call Home Energy Scotland on 0808 808 2282 for more details.

- [Boiler Replacements and Repairs](#)
- [Heating and Hot Water](#)
- [Improved Doors and Windows](#)
- [Thermostats and Heating Controls](#)
- [Cavity Wall Insulation](#)
- [Draught-proofing](#)
- [Floor Insulation](#)
- [Roof and Loft Insulation](#)
- [External Wall Insulation](#)
- [Internal Wall Insulation](#)
- [Tanks, Pipes and Radiator Insulation](#)
- [Energy Storage](#)
- [Wind Turbines](#)
- [Hydropower](#)
- [Solar Photovoltaics](#)
- [Biomass Heating](#)
- [Air Source Heat Pumps](#)
- [Solar Heating](#)
- [Ground Source Heat Pumps](#)

To see if you are eligible for this scheme, please contact us.

GET IN TOUCH

# What should I do now?

- Still at proposal stage
- Think about what work would be needed at your property should proposals become law
- Keep an eye on SAL enews updates

# Questions?

Tel: 0131 564 0100

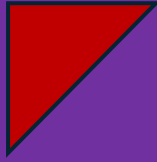
Email: [advice@scottishlandlords.com](mailto:advice@scottishlandlords.com)

[www.scottishlandlords.com/resources](http://www.scottishlandlords.com/resources)

**Supporting Scotland's landlords and letting agents**



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EPC – energy performance confusion

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# Scottish Letting Day 2024



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## Scottish Letting Day

Refreshments are served in the exhibition area

Speaker programme resumes at 15.30 in Presidents 1 and 2

Please visit our exhibitors' stands

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Conference sponsors:



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# Scottish Letting Day

Conference and exhibition 19 November 2024

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Conference partner:



Conference sponsors:



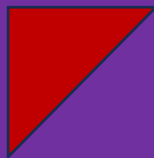
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# Scottish Letting Day 2024



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# **SAL podcast LIVE** **with Paul McLennan MSP**

## **John Blackwood**

## Scottish Association of Landlords

Scottish Letting Day 2024

# LANDLORD VOICE

Empowering Scotland's private rented sector

John Blackwood  
in conversation with  
Scotland's Housing Minister, Paul McLennan MSP



**SAL** SCOTTISH  
ASSOCIATION  
OF LANDLORDS





# Scottish Letting Day 2024



## SAL podcast LIVE

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Thank you for coming  
See you next year

Conference partner:



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