



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 4

RENT

CHAPTER 2

RENT VARIATION INSTIGATED BY LANDLORD'S NOTICE

Process by which rent may be varied

22 Landlord's power to increase rent

- (1) The landlord under a private residential tenancy may increase the rent payable under the tenancy by giving the tenant a notice in accordance with this section (“a rent-increase notice”).
- (2) The notice must—
 - (a) specify—
 - (i) the rent that will be payable once the increase takes effect,
 - (ii) the day on which the increase is to take effect, and
 - (b) fulfil any other requirements prescribed by the Scottish Ministers in regulations.
- (3) The rent increase takes effect on the effective date, unless before that date—
 - (a) the landlord intimates to the tenant that the notice is rescinded, or
 - (b) the tenant makes a referral to a rent officer under section 24.
- (4) For the purpose of subsection (3), the effective date is the date of the later of—
 - (a) the day specified in the notice in accordance with subsection (2)(a)(ii), or
 - (b) the day after the day on which the minimum notice period ends.
- (5) In subsection (4)(b), “the minimum notice period” means a period which—

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 22. (See end of Document for details)

- (a) begins on the day the notice is received by the tenant, and
 - (b) ends on the day falling—
 - (i) three months after it began, or
 - (ii) whatever longer period after it began as the landlord and tenant have agreed between them.
- (6) In subsection (5), the reference to a period of three months is to a period which ends in the month which falls three months after the month in which it began, either—
- (a) on the same day of the month as it began, or
 - (b) if the month in which the period ends has no such day, on the final day of that month.

Modifications etc. (not altering text)

- C1** S. 22 modified (temp.) (28.10.2022) by [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(asp 10\)](#), s. 13(1), [sch. 1 para. 1\(1\)\(6\)](#) (with ss. 1(2), 6, 7, 8) (as amended: (1.4.2023) by [S.S.I. 2023/82](#), regs. 1(3), [2\(2\)](#)); and (27.9.2023) by [S.S.I. 2023/275](#), regs. 1(2), [2\(2\)](#))

Commencement Information

- I1** S. 22(1)(3)-(8) in force at 1.12.2017 by [S.S.I. 2017/346](#), reg. 2, [sch.](#)
- I2** S. 22(2) in force at 31.10.2016 for specified purposes by [S.S.I. 2016/298](#), reg. 2, [sch.](#)
- I3** S. 22(2) in force at 1.12.2017 in so far as not already in force by [S.S.I. 2017/346](#), reg. 2, [sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 22.