



# 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  - (a) the landlord intimates to the tenant that the notice is rescinded, or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—

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*Status: This is the original version (as it was originally enacted).*

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- (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.