



Private Housing (Tenancies) (Scotland) Act 2016 2016 asp 19

PART 4

RENT

CHAPTER 3

RENT PRESSURE ZONES

Improvements to let property

42 Rent officer's power to allow rent rise in consequence of improvement

- (1) On an application by the landlord under a private residential tenancy, a rent officer is to determine the amount (if any) by which the rent payable under the tenancy may be increased in consequence of an improvement made to the let property.
- (2) The rent payable under a tenancy may not be increased by virtue of a determination made in respect of an improvement which was completed before—
 - (a) the tenancy was granted, or
 - (b) if the rent payable under the tenancy has changed previously, the day on which it last changed.
- (3) The rent payable under a tenancy may not be increased more than once by virtue of a single determination.
- (4) In subsection (1), “improvement” does not include anything done to the let property—
 - (a) which is paid for in whole or in part by the tenant, or
 - (b) by way of repair, maintenance or decoration.
- (5) In a case where two or more persons jointly are the tenant under a tenancy, the reference to the tenant in subsection (4)(a) includes any one of them.

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 42. (See end of Document for details)

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Modifications etc. (not altering text)

- C1** Ss. 35-43 modified (temp.) (28.10.2022) by [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022](#) (asp 10), s. 13(1), **sch. 1 para. 1(1)(19)** (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)**)
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Commencement Information

- I1** S. 42 in force at 1.12.2017 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 42.