



Private Housing (Tenancies) (Scotland) Act 2016

2016 asp 19

PART 4 **S**

RENT

CHAPTER 1 **S**

RESTRICTIONS IN RELATION TO RENT, OTHER CHARGES AND DILIGENCE

Restrictions on rent increases

18 Method by which rent may be increased **S**

The rent payable under a private residential tenancy may be increased only in accordance with Chapter 2.

Modifications etc. (not altering text)

- C1** S. 18 modified (temp.) (28.10.2022) by [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(asp 10\)](#), s. 13(1), [sch. 1 para. 1\(1\)\(3\)](#) (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

- II** S. 18 in force at 1.12.2017 by [S.S.I. 2017/346](#), reg. 2, [sch.](#)

19 Frequency with which rent may be increased **S**

- (1) The rent payable under a private residential tenancy may not be increased more than once in a 12 month period.
- (2) For the purpose of subsection (1), in a case where the last rent increase resulted from an order of the rent officer or the First-tier Tribunal, the 12 month period is to be

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, CHAPTER 1. (See end of Document for details)

regarded as commencing on the date on which the rent would have been increased in accordance with section 22(4) had a referral to a rent officer not been made.

Modifications etc. (not altering text)

C2 S. 19 modified (temp.) (28.10.2022) by [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(asp 10\)](#), s. 13(1), [sch. 1 para. 1\(1\)\(4\)](#) (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

I2 S. 19 in force at 1.12.2017 by [S.S.I. 2017/346](#), reg. 2, [sch.](#)

Restrictions on other charges and diligence

20 **No premiums, advance payments, etc.** **S**

(1) Sections 82, 83 and 86 to 90 of the Rent (Scotland) Act 1984 apply in relation to a private residential tenancy as they apply in relation to a tenancy of the kind to which those sections refer.

(2) But—

- (a) section 83(5) of that Act is to be ignored,
- (b) the date mentioned in section 88(1) of that Act is to be read as if it were the date on which this section comes into force.

Commencement Information

I3 S. 20 in force at 1.12.2017 by [S.S.I. 2017/346](#), reg. 2, [sch.](#)

21 **Restriction on diligence** **S**

Except with the leave of the First-tier Tribunal, no diligence is to be done in respect of—

- (a) the rent due by a tenant or former tenant under a private residential tenancy,
- (b) any liability of a tenant or former tenant arising under section 31.

Commencement Information

I4 S. 21 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, CHAPTER 1.