



# 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*

#### 26 Rent officer's duty to issue provisional order

- (1) Before making an order under subsection (1) of section 25, a rent officer must issue a provisional order stating—
  - (a) the rent which the rent officer proposes to specify under that section, and
  - (b) the amount which the rent officer proposes to record for the purpose of subsection (3) of that section.
- (2) Where a rent officer has issued a provisional order under subsection (1), the landlord or the tenant may ask the rent officer to reconsider the proposed amounts.
- (3) A request under subsection (2) may not be made more than 14 days after the provisional order is issued.
- (4) If a request is made under subsection (2), the rent officer must reconsider the proposed amounts prior to making an order under section 25(1).

#### Modifications etc. (not altering text)

- C1 S. 26 modified (temp.) (28.10.2022) by [Cost of Living \(Tenant Protection\) \(Scotland\) Act 2022 \(asp 10\)](#), s. 13(1), [sch. 1 para. 1\(1\)\(10\)](#) (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\(2\)](#))

---

**Changes to legislation:** *There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 26. (See end of Document for details)*

---

**Commencement Information**

**II** S. 26 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 26.