



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

PART 4

RENT

CHAPTER 3

RENT PRESSURE ZONES

Designation and effect of rent pressure zone

38 Restriction on rent increases within a zone

- (1) A rent-increase notice may not increase the rent payable under a private residential tenancy where the let property is in a rent pressure zone to an amount greater than—

$$R \times \left(1 + \frac{\text{CPI} + 1 + X}{100} \right) + Y$$

where—

R is the rent payable under the tenancy immediately before the rent-increase notice in question takes effect,

CPI is the percentage increase in the consumer prices index over the period—

(a) from—

- (i) the day of the last increase in the rent payable under the tenancy, or
- (ii) if the rent payable under the tenancy has not previously been increased, the day on which the tenancy was granted,

(b) to the day that the rent-increase notice in question is given to the tenant,

Changes to legislation: There are currently no known outstanding effects for the Private Housing (Tenancies) (Scotland) Act 2016, Section 38. (See end of Document for details)

X is the number of percentage points prescribed in relation to the rent pressure zone under section 37(1)(b),

Y is the amount (if any) by which the rent may be increased by virtue of a rent officer's determination under section 42.

- (2) In subsection (1), “the consumer prices index” means the all consumer prices index published by the Office of National Statistics.

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. 38](#) 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 38.