



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\(2\)](#))

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.