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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Part 1 of the Cost of Living (Tenant Protection) (Scotland) Act 2022 (“the 2022 Act”) expires at the end of 31 March 2024. It introduces schedules 1 and 2 of the 2022 Act. Schedule 1 imposes restrictions on rent increases for residential tenancies (“the rent cap”), and schedule 2 imposes an evictions moratorium and makes further provision in relation to damages for unlawful evictions.

Regulation 2 saves paragraphs 1 and 2 of schedule 1 (relating to the rent cap) so that they continue to have effect in relation to notices about rent increases served before Part 1 expires and in relation to any subsequent referrals, applications or appeals.

Regulation 3 saves paragraphs 4, 5 and 6 of schedule 2 (relating to certain temporary eviction grounds) so that these grounds continue to have effect in relation to eviction notices served before Part 1 expires and in relation to any subsequent proceedings or appeals. The temporary eviction grounds include circumstances in which the landlord is seeking to sell or live in their property to alleviate financial hardship or where the tenant has rent arrears equal to 6 months’ rent or more.

Regulation 4 saves paragraphs 7 and 8 of schedule 2 (relating to damages for unlawful eviction) so that these provisions continue to have effect in relation to actions for damages raised before Part 1 expires and in relation to any subsequent appeals.