



APPLICATION FOR LANDLORD REGISTRATION

Under the Antisocial Behaviour etc. (Scotland) Act 2004

You can use this form to apply for registration as a landlord or landlord's agent with West Dunbartonshire Council. There are notes at the end to help you. For more information or advice, please contact:

**West Dunbartonshire Council
Regulatory Services
Council Offices
16 Church Street
Dumbarton
G82 1QL**

Email: environmental.health@west-dunbarton.gov.uk
Tel: 0141 951 7957

The principal fee for registration is £65 plus £15 per property. You can also apply online at www.landlordregistrationscotland.gov.uk.

You must register with each local authority in whose area you let property. If you own properties in more than one area, you can use the online application system to register in all authorities in one application, and this will reduce the total fee that you will have to pay.

The aim of landlord registration is to ensure that all private landlords and agents in Scotland are 'fit and proper' to be letting residential property (see Note 1). The owner of every let property must register, and must declare anyone who acts for them in relation to their letting. There are only a few exceptions from the requirement to register (see Note 2).

You can also register if you do not own any property, to show that you are 'fit and proper' to act as an agent, or before you invest in property for let.

Members of the public will be able to view each local authority's register of landlords online at www.landlordregistrationscotland.gov.uk. By entering the name and address of a person or company, they will be able to see whether you are registered. By entering the address of one of your properties they will be able to see your name and the contact address for you or your agent. This information can also be obtained by contacting the local authority. Local authorities can also provide the home or office address of any registered person or company, at the authority's discretion.

Useful information

If a property is jointly owned then a 'lead' owner should be designated by the owners from amongst their number. The lead owner will pay both the principal fee and the property fee(s) for each of the jointly owned properties. Any joint owner who is not the lead joint owner is exempt from paying both the principal fee and any property fees for the jointly owned properties.

About Joint owners

All owners of property, including joint owners are required to apply for registration in order to comply with the law. **Each Joint Owner will need to complete an application form or online application – there is no fee for the joint owner.**

About agents

If you use an agent to manage any of your properties, you will need to ask your agent to provide their details including their Letting Agent Registration Number (LARN). You may be able to search for this on the public register: <https://lettingagentregistration.gov.scot/>.

If a commercial agent has provided you with their LARN (which is NOT a landlord registration number, they will not be required to complete an application form.

Please note that if your agent (including family members with Power of Attorney) is not already registered then you will need to pay for them to be assessed as fit and proper. This will cost you a further £65 in addition to your own registration fee.

All commercial agents are now required to register as a letting agent with the Letting Agent registration team of the Scottish Government, however some non-commercial agents do not and these will still require registration with landlord registration. For further details visit: <https://www.mygov.scot/letting-agent-registration/>

Please note that if your agent (including family members with Power of Attorney) is not already registered then you will require to make payment in order that they can be assessed as fit and proper. This will cost you a further £65 in addition to your own registration fee.

Section 1 – About You

Application for

Lead owner Joint Owner Agent

Please tick the appropriate box.

Are you registering for the first time?

Yes No

or

Are you renewing an existing registration?

Yes No

If yes, please provide your registration number

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Title

First name

Other names

Surname

Date of birth

Please also list any other names by which you are, or have been, known (including maiden name).

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Organisations

Organisation name

Company registration
number
(if applicable)

Organisation contact
person

Position in
Organisation

Is this organisation a registered charity?

Yes

No

If so, please enter the charity registration number:

Please provide us with your present address including postcode (this will be used to send all postal communication regarding your landlord registration).

How long have you lived at this address?

Please give any other addresses where you have lived within the last 5 years, including postcode. Please continue on a separate sheet if necessary.

Contact Telephone Number

Email address (Optional). If you enter an email address we will use this to contact you in most circumstances.

Convictions / Accreditations

To be registered, owners and their agents must be fit and proper to let residential property. Local authorities must take account of any evidence that the person has

- Committed any offence involving fraud, dishonesty, violence, drugs, firearms, or sexual offences
- Practiced unlawful discrimination in connection to any business
- Contravened any provision of the law relating to housing, or landlord and tenant law.

In addition to the information provided on the form, the local authority will also take account of any other relevant information they hold about the applicant.

Do you have any spent or unspent convictions, involving any of the following:- (see Note 3a)

- Fraud
- Violence
- Drugs
- Discrimination
- Firearms
- Sexual offences
- Contravention of housing law

Yes No

If yes, please provide details in table (i) below

Have you had any court or tribunal judgements found against you under:

- Housing law
- Landlord or tenant law
- Discrimination legislation

Yes No

If yes, please provide details in table (i) below

Table (i)

Conviction or description of case	Date	Court or tribunal which heard the case

Do you have any previous or current Repairing Standard Enforcement Orders (see Note 3b)

Yes No

If yes, please provide dates and description of the case below

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Have you, or a tenant residing at any of your properties, ever been served with an Antisocial Behaviour Order or an Interim Antisocial Behaviour Order? (see Note 3c)

Yes No

If yes, please provide details below

Date	Court	Local Authority (Optional)	Please indicate whether it was you or your tenant who was served with the Order.

Have you, or any of your properties, ever been subject to an Antisocial Behaviour Notice? (see Note 3d)

Yes No

If yes, please provide details below

Date	Local Authority

Do you hold any registrations or licences (see Note 4) in connection with letting houses anywhere in the UK?

Yes No

Have you had any such registrations or licences refused or revoked?

Yes No

Please give details of any registrations or licences held, refused or revoked.

Description	Awarded by	Held/refused/revoked	Date awarded/refused/revoked	Reference no

Do you hold any voluntary accreditations (see Note 4) in connection with letting houses anywhere in the UK?

Yes No

If yes, please give details

Description	Awarded by	Date	Local authority approving the scheme	Reference no

If you wish to register property in the West Dunbartonshire Council area, please continue to the next section.

You ***must*** register every house you own which is subject to a lease or occupancy agreement, but you can also register if you do not own any property.

If you do not currently let any property please go to section 3.

Section 2 – Properties

Please use this section to enter details of each of your properties, including postcodes. If you have more than one property, please provide the details on a separate sheet and attach to this form.

Postcode:	Postcode:

Please continue on addition paper if necessary

Gas Safety

Do any of your properties in the West Dunbartonshire area have gas appliances? (delete as appropriate) **YES/NO**

This includes Calor Gas, Natural Gas and similar.

If yes please list premises below and enclose a COPY of the current Landlords Gas Safety Certificate for each of the premises listed.

Address of premises with gas appliance	Certificate Included
	<input type="checkbox"/> Yes, the certificate(s) are included <input type="checkbox"/> No, the certificate(s) are not included but a copy will be provided by ___/___/____.

Do you have an Energy Performance Certificate for any of the let properties? (delete as appropriate) **YES/NO**

If yes, please provide a copy of the Certificate.

If no and the tenancy commenced after 4th January 2009, you must obtain an Energy Performance Certificate and display a copy of the certificate at the property. Please provide a copy of the certificate once obtained.

Is this property/any of the above properties a House in Multiple Occupation? (Note 5) (delete as appropriate) **YES/NO**

If yes, please provide the HMO licence no. _____

Is this property/any of the above properties An accredited property? (Note 4) (delete as appropriate) **YES/NO**

If yes, please provide the accreditation no. _____

Is the property/any of the above properties Served by a Private Water Supply? (i.e. one not provided by Scottish Water). (delete as appropriate) **YES/NO**

If yes, an improvement grant may be available.
Would you like to receive further grant information? (delete as appropriate) **YES/NO**

Electrical Safety Inspection Report – Made Up of Two Parts (EICR & PAT)

Do you have an Electrical Installation Condition Report (EICR) for any of the properties? (delete as appropriate) **YES/NO**

Do you have a PAT report for any of the let properties? (delete as appropriate) **YES/NO**

(PAT is for any electrical goods supplied by the Landlord, e.g. Washing Machine) If yes, please provide a copy of the Certificates to West Dunbartonshire Council.

It is a legal requirement that from the 1st December 2015, you must obtain an EICR and PAT if applicable. A copy of the certificate/s must be provided to the tenant and to West Dunbartonshire Council.

The Electrical Safety Inspection Report should be done by a competent person and a member of NICEIC or SELECT <http://www.select.org.uk/for-the-public/find-a-contractor/>

<https://www.niceic.com/householder/find-a-contractor-results?q=PA42+7BD>

For tenancies existing before 1/12/15 An Electrical Safety Inspection Report must be provided by 1 December 2016, unless the tenancy ends before that date.

For further information <https://www.housingandpropertychamber.scot/>

Agent

An agent is anyone who acts for you in relation to a house you let. This may be a professional such as a letting agent or solicitor, or a friend or relative who looks after the property, arranges repairs, collects rents and so on. You must declare any agent you use, your application cannot be approved until both you and any agents you use have been approved.

Does an agent act for you in relation to this property? **YES/NO**

If yes, has this person already registered, or applied for registration, with West Dunbartonshire Council? **YES/NO**

If yes, please enter their registration/application number:

If no – please enter their name and address here, and ask them to complete a separate application form and return it to us. You will need to pay a fee for your agent (see Note 6)

Name

Address

Do you jointly own this property with anyone else?

Yes No

All joint owners of any let house must be registered, your application cannot be approved until all joint owners have been approved.

If yes, has this person already registered, or applied for registration, with West Dunbartonshire Council?

Yes No

If yes, please enter their registration/application number.

If no – please enter their name and address here.

Title		First Name	
Other names		Surname	
Date of Birth			
Address			

Please also list any other names by which you are, or have been, known (including maiden name).

Is this person a member of your family?

Yes No

Contact Address

The contact address is the address which will appear on the public register. It is the address that tenants or neighbours can use to get in touch with you regarding the property. It may be your agent’s address, your own home or office address, or another address you choose to use for this purpose.

What is the contact address for this property?

Your address

Your agent’s address

Another address – please give details.

Section 3 - Declarations

I declare that I comply with all legal requirements relating to my letting of houses

Information on the law and good practice in letting is available from West Dunbartonshire Council, online at www.west-dunbarton.gov.uk/business/environmental-health/private-landlord-registration/

www.rentingscotland.org and other sources. If in doubt about legal requirements you should consult a solicitor or professional letting agent.

I declare that the information given in this form is correct to the best of my knowledge.

I agree that West Dunbartonshire Council may use other information it holds about me to determine whether I am a fit and proper person to act as a landlord, or to act for a landlord, in terms of the Antisocial Behaviour etc (Scotland) Act 2004.

I agree that West Dunbartonshire Council may share the information provided in this form, and other relevant information it holds about me, with other local authorities in Scotland to which I have applied for registration, to help those other authorities determine whether I am a fit and proper person to act as a landlord, or to act for a landlord, in terms of the Antisocial Behaviour etc. (Scotland) Act 2004.

A local authority may use information it holds about you to determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. In addition, local authorities to which you apply may share relevant information they hold about you with one another to help those authorities determine whether you are a fit and proper person to act as a landlord, or to act for a landlord. They may also share and seek relevant information with the Police Service of Scotland and, if appropriate, other relevant authorities. Information is shared in terms of the Antisocial Behaviour etc. (Scotland) Act 2004 in terms of s 139, and / or the Data Protection Act 1998.

Under the Data Protection Act 1998 information is shared for the purposes of preventing and detecting crime

Owner

Signed		
Date		
Print name		

Joint Owner

Signed		
Date		
Print name		

Important

Anyone who gives false information on this form, or fails to give information required by this form, is committing an offence which could lead to prosecution.

The Council will notify you of the outcome of your application. You must inform the Council of any changes to the details entered on this form at any time while your application is being processed and during the period of registration. Registration lasts for 3 years from the date an application is approved.

Please note that it is a legal requirement to keep your registration details up to date. You can do this online at www.landlordregistrationscotland.gov.uk, or by emailing environmental.health@west-dunbarton.gov.uk

Payment

Payment must be made at the time of application, please see Note 6 to calculate how much you have to pay for this application and further advice on how to pay.

Application Notes

Note 1

To be registered, landlords and their agents must be 'fit and proper' to let residential property. Local authorities must take account of any evidence that the person has:

- committed any offence involving fraud or dishonesty, violence, drugs, discrimination, firearms, or sexual offences,
- practised unlawful discrimination in connection with any business
- contravened any provision of the law relating to housing, or landlord and tenant law
- and the person's actions, or failure to act, in relation to any antisocial behaviour affecting a house they let or manage.

In addition to the information provided on the form, West Dunbartonshire Council will also take account of any other relevant information they hold about you. They will make a balanced judgement on the basis of all the available information, there is no automatic refusal.

If you let property in more than one local authority area, the authorities will share information to ensure they have all relevant details, however each authority will make its decision independently.

Note 2

Exemptions apply to properties rather than to people. If **all** of a landlord's properties in an area are covered by one or more of the exemptions, he or she does not need to register with that local authority. If some of the properties are exempt, the other properties must still be registered. A property is exempt from registration if it is:

- the only or main residence of the landlord, where there are not more than two lodgers
- let under an agricultural or crofting tenancy
- occupied under a life rent
- used for holiday lets only
- regulated by the Care Commission, in certain categories
- owned by a religious organisation and occupied by a leader or preacher of that faith
- occupied only by members of a religious order
- let to members of the landlord's family only
- held by an executor
- possessed by a heritable creditor
- owned by a local authority or Registered Social Landlord.

If you are unsure whether an exemption applies to you, please contact the local authority for advice.

Note 3

(a) Any spent or unspent convictions for offences involving:

- fraud / dishonesty
- violence
- drugs
- discrimination
- firearms (within the meaning of section 57 (1) of the Firearms Act 1968 (c.27))
- sexual offences (within the meaning of section 210A (10) of the Criminal Procedure (Scotland) Act 1995 (c.46))
- contravention of housing law (For further details on housing legislation, please see <http://www.legislation.gov.uk/browse/uk>)

Any court or tribunal judgements under:

- Housing law
- Landlord and tenant law
- Discrimination legislation. i.e.
 - The Equal Pay Act 1970 (c.41)
 - The Sex Discrimination Act 1975 (c.65)
 - The Race Relations Act 1976 (c.74),
 - The Disability Discrimination Act 1995 (c.50),
 - The Equality Act 2010 (c.15)
 - The Employment Equality (Sexual Orientation) Regulations 2003 (S.I.2003/1661) or
 - the Employment Equality (Religion or Belief) Regulations 2003 (S.I.2003/1660).

If you are unsure whether you need to declare a conviction or court or tribunal judgement found against you, please contact your local authority for further advice.

(b) A Repairing Standard Enforcement Order made under s24 (2) of the Housing (Scotland) Act 2006.

(c) An Antisocial Behaviour Order (ASBO), or interim order, within the meaning of Part 2 of the Antisocial Behaviour etc. (Scotland) Act 2004 served on you, or a tenant residing at any of your properties.

(d) An Antisocial Behaviour Notice (ASBN), within the meaning of Part 7 of the Antisocial Behaviour etc. (Scotland) Act 2004 served on you or any of your properties.

Note 4

There are various types of qualification or permission to let houses, which go by different names depending on the organisation which issues them, or the country where they apply. This form uses the following definitions:

Registrations or licences are required by law, and are issued by local or central government. In Scotland this applies to registration of all landlords under the Antisocial Behaviour etc (Scotland) Act 2004, and licensing of Houses in Multiple Occupation under

part 5 of the Housing (Scotland) Act 2006. You should also include any similar permissions you hold in other parts of the UK.

Voluntary accreditation is something landlords or agents can apply for to show that they meet high standards in letting. Accreditation schemes may be run by local authorities, landlord organisations or a combination of the two.

Note 5

A property may be a House in Multiple Occupation (HMO) if:

- at least three people live there, and
- the people who live there belong to three or more families, and
- they share a kitchen, bathroom or toilet.

All HMOs must be licensed by the local authority. If you think your property may be an HMO and you do not have a licence, please contact the local authority for advice.

Note 6

The fees for a registration application are made up of **principal fees** for each person applying, and a **property fee** for each property listed.

Principal fees

£65 for the lead owner (joint owners must register but are not liable to pay the principal or property fees – additional fees may apply)

Property fees

£15 for each property – all let properties must be registered unless exempt

Additional fee – Late applications

If the local authority has issued two separate requests for an application to be made, applicants will be charged a penalty fee of **£130** as well as the principal fee of **£65**.

Fee Exemptions

- Charities – Registered charities are exempt from paying both the principal fee and property fee although they are still required to register.
- Joint Owners – Where there is more than one owner of a property, one of the owners will be designated the 'lead owner'. The lead owner is responsible for paying the principle fee and the property fee; joint owners pay no fees, unless they are also a lead owner.

- HMO Licence Holders – Where an application is submitted by a person who holds a valid HMO Licence from West Dunbartonshire Council there is no principal or property fee to be paid. If the landlord also rents out non HMO properties a fee of £15 per property must be paid.

If you are unsure how much your fee will be, please contact West Dunbartonshire Council.

Note 7

Please note that your application is not valid until the correct payment has been received by West Dunbartonshire Council. If you let property without making payment, you will be committing a criminal offence.

You can pay your application fees in the following ways:

Card payments

Online- Please note you have to register online to use this facility. Visit www.landlordregistrationscotland.gov.uk

Payment can be made by credit or debit card using the secure server. You can print a copy of the payment for your own records.

By Telephone to Environmental Health on 0141 951 7957 for Debit/Credit card payment only if unable to pay online.

West Dunbartonshire Council are unable to accept payment by Cheques or cash. Landlord Registration Fees are non returnable.

Application forms must be sent to:

**West Dunbartonshire Council
Regulatory Services
Council Offices
16 Church Street
Dumbarton
G82 1QL**