



# Private Landlord Registration - Landlord Guide Tenant Information Packs

## **What is/was the tenant information pack?**

The tenant information pack was a standardised pack issued to tenants prior to the 1<sup>st</sup> December 2017, it provided information to tenants in privately rented housing. It talked about property condition, tenancy agreements, and the rights and responsibilities of landlords and tenants.

The aim of the pack was to improve the accessibility of information available to tenants. Good information may have already been available to tenants and the pack was not intended to replace this, but was to ensure that all tenants in privately rented homes receive the same minimum standard of information.

## **When did the regulations come into effect?**

From 1st May 2013, there was a requirement for tenant information packs to be provided for all new assured and short assured tenancies.

## **What did the regulations mean for landlords and letting agents?**

Landlords who provided an assured or short assured tenancy had a legal duty to provide new tenants with a tenant information pack, under section 30A of the Housing (Scotland) Act 1988. This included the renewal of existing tenancies where the landlord and tenant draw up a new lease. A tenant information pack was not required for existing leases issued prior to 1<sup>st</sup> May 2013.

The tenant information pack included information on the Repairing Standard, and its provision satisfied the separate obligation of a landlord to provide a tenant with written information about the landlord's duty to repair and maintain (Chapter 4 of Part 1 of the Housing (Scotland) Act 2006).

## **Which landlords had to comply with the regulations?**

All landlords who provided an assured or short assured tenancy had to comply with the tenant information pack regulations.

## **What happened if a landlord uses a letting agent?**

If a letting agent managed the tenancy the tenant should still receive a pack. A letting agent could have provided the pack on behalf of the landlord. However, the legal duty to ensure that the tenant received a tenant information pack remained with the landlord.

### **What did a landlord have to do with the tenant information pack?**

A landlord had to provide new tenants with the tenant information pack by the tenancy start date. The pack could have been provided to the tenant in hardcopy or electronically. Also, where there are joint tenants they can be asked to accept one pack between them.

### **Could a landlord produce their own version of the tenant information pack?**

Landlords had a legal duty to provide the tenant information pack as it is set out on the Scottish Government website. The pack must not have been modified. Where a landlord wished to replicate the content of the pack to for example, incorporate a company logo, they must have indicated that the source material had been derived from the Scottish Government.

It was recognised that good information is already available to tenants and the tenant information pack was not intended to replace this.

### **How did the tenant information pack relate to the lease?**

The pack was not part of the tenancy agreement but set out important information that was relevant to the tenant and landlord. Tenants and landlords should refer to their lease for more specific information on their tenancy.

### **What happens if a landlord did not provide a tenant information pack?**

Failure to provide a tenant information pack prior to 01/12/2017 was a criminal offence. If a landlord did not provide the pack, they can be fined up to £500.

### **Is the tenant information pack still required?**

No, the pack is no longer required under the new Private Housing (Tenancies)(Scotland) Act 2016 which came into effect on the 1<sup>st</sup> December 2017. The information previously contained within the TIP is now included in the new Private Residential Tenancy lease template.

Please see our separate information sheet in relation to these new regulations.

Should you require any further information or guidance please contact  
**Fife Councils Landlord Registration Team by telephone on 01592 583397**  
Or email [landlords.registration@fife.gov.uk](mailto:landlords.registration@fife.gov.uk)  
**Fife Councils Houses of Multiple Occupancy Team by telephone on 01592 583162**  
Or email [HMO.licensing@fife.gov.uk](mailto:HMO.licensing@fife.gov.uk)