



Application for Private Landlord Registration

Under the Antisocial Behaviour etc (Scotland) Act 2004



FOR OFFICE USE ONLY

REGISTRATION NUMBER:

Lead Owner Joint Owner Agent

APPLICATION FOR LANDLORD REGISTRATION

Under the Antisocial Behaviour etc (Scotland) Act 2004

You can use this form to apply for registration as an individual landlord, joint owner or landlord's agent with East Ayrshire Council. There are notes at the end to help you. For more information or advice, please contact East Ayrshire Council at:

Private Sector Housing Unit
Civic Centre North
John Dickie Street
Kilmarnock KA1 1HW
Tel: 01563 554560 / 554584 / 576878
Email: LandlordRegistration@east-ayrshire.gov.uk

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 (*Note 1*). The owner of every let property must register and declare anyone who acts for them in relation to their letting. All joint owners must be registered. There are only a few exceptions from the requirement to register (*Note 2*).

Payment must be made at the time of application. The principal fee for registration is £55 plus £11 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.

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.

Section 1: About the owner

You will need to have the following information to help complete this section:

- your full name, any other names you may have or had (*maiden or previous married names*) and your date of birth
- name of organisation and contact person.
- company registration number or charity number.
- current home address.
- previous home addresses for past 5 years.
- email address and contact telephone number.
- HMO licences and voluntary accreditations you hold in Scotland (*if applicable*)
- details of any registration, licence or voluntary accreditation which has been refused or revoked in connection with letting in the UK.
- details of any convictions (*spent or unspent*), and court or tribunal judgements issued against you under housing law, landlord and tenant law, or discrimination legislation.
- details of any previous or current Repairing Standard Enforcement Orders issued by the First-tier Tribunal for Scotland Housing and Property Chamber, previously known as the Private Rented Housing Panel.
- details of any Antisocial Behaviour Order or Interim Antisocial Behaviour Orders served on you, or a tenant residing at any of your properties.
- details of any Antisocial Behaviour Notices served on you or any of your properties.

Section 2: Properties

You will need to have the following information to complete this section:

- the address of each house you own which is let (including postcode)
- details of any agent(s) who act for you in relation to each property. Your agent must be entered on the system first before you can add them to your application. Please ask for a registration number (*for the relevant local authority*). If your agent is not registered then contact your local authority for advice
- details of any joint owners of each property. If the joint owner has already registered or applied for registration, please ask for their registration number (*for the relevant local authority*).
- contact address for each property. This is the address tenants or neighbours can use to get in touch about the property. It may be an agent's / home or office address.

Section 3: About Joint Owners

All owners of property, including joint owners are required to apply for registration in order to comply with the law.

You will need to have the following information to help complete this section:

- If the joint owner has not yet applied for registration, ask them to fill in their details
- If the joint owner has already applied for registration, enter their reference number
- Details of any other licences held
- HMO licence number
- Any relevant convictions (spent and unspent)
- Accreditations held, e.g. membership of a local or national scheme

If there is more than one joint owner they will need to complete a separate application form.

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 Agents

If you use an agent to manage any of your properties, you will need to ask your agent to complete an application form to provide their details.

If a commercial agent has provided you with a registration number, they will not be required to complete an application form as they have already registered with the local authority you are applying to.

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 £55 in addition to your own registration fee.

SECTION 1:

All Applicants

Applicant Details	Lead Owner <input type="checkbox"/> Joint Owner <input type="checkbox"/> Agent <input type="checkbox"/>
Title: (eg Mr, Mrs, Miss, Dr)	
First Name	
Surname	
Any other names by which you are, or have been, known	
Date & Place of Birth	Date: Place:
Home phone number	
Mobile phone number	
Email address	

Company *(only complete if applying as company)*

Organisation Name	
Company registration number (if applicable)	

Company's Contact Person

Name	
Position in organisation	
Is this organisation a registered charity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please enter the charity registration number	

All Applicants

Addresses of principal or main residence, including postcode	
How long have you lived at this address?	
Please give any other addresses where you have lived within the last 5 years	Address:
	Date from: Date to:
	Address:
	Date from: Date to:
	Address
	Date from: Date to:

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:

Yes No

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

If yes, please provide details in table below

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

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

Yes No

- Housing law
- Landlord or tenant law
- Discrimination legislation

If yes, please provide details in table below

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

Convictions / Accreditations

Do you have any previous or current Repairing Standard Enforcement Orders issued by the First-tier Tribunal for Scotland Housing and Property Chamber? (Previously known as the Private Rented Housing Panel)

Yes No

If yes, please provide details in table below

Conviction or description of case	Date

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?

Yes No

If yes, please provide details in table below

Date	Court	Local Authority	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?

Yes No

If yes, please provide details in table below

Date	Conviction or description of case

Convictions / Accreditations

Do you hold any House of Multiple Occupation (HMO) licenses (see Note 4) within Scotland?

Yes No

Have you had a registration or license refused or revoked?

Yes No

If yes, please provide details in table below

Description	Awarded by	Held/ Refused/Revoked	Date awarded/ refused/revoked	Reference number

Do you hold any voluntary accreditations (see Note 5) in connection with letting houses anywhere in the UK?

Yes No

If yes, please provide details in table below

Description	Awarded by	Date	Local Authority approving scheme	Reference number

SECTION 2:

Individual Applicants

Address of Properties being let including postcode (Please continue on a separate sheet if necessary)	Is this property jointly owned?	Is this property managed by an agent?	Is this an Accredited property? (see Note 4)	Is this property an HMO (see Note 5)	HMO license number
1	Y <input type="checkbox"/> N <input type="checkbox"/>				
2	Y <input type="checkbox"/> N <input type="checkbox"/>				
3	Y <input type="checkbox"/> N <input type="checkbox"/>				
4	Y <input type="checkbox"/> N <input type="checkbox"/>				
5	Y <input type="checkbox"/> N <input type="checkbox"/>				

Agents

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.**

If you have ticked yes, has this person already registered, or applied for registration with East Ayrshire Council?

Yes No

If yes, please enter registration or application number

If no, please enter their name and address below, and then ask them to complete a separate application form and return it to us. You will need to pay a fee for your agent.

Name

Address and Postcode

Joint Owners

All joint owners of any let house must be registered. Your application cannot be approved until both you and any joint owners have been approved.

If you have ticked yes, has this person already registered, or applied for registration with East Ayrshire Council?

Yes No

If yes, please enter their registration or application number.

Joint Owners

If no, please enter their name and address here and ask them to complete a separate form and return it to us.

Name	
Address and Postcode	
What do you want to use as your contact address?	Your address <input type="checkbox"/> Your agent's address <input type="checkbox"/> Another address <input type="checkbox"/>
	Please state, including post code

SECTION 3:

Declaration

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 East Ayrshire Council, online at www.rentingscotland.org and other sources. If in doubt about legal requirements you should consult a solicitor or professional letting agent.

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.

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

East Ayrshire 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.

East Ayrshire 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.

DATA PROTECTION: *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 2018 and the General Data Protection Regulations. Your information will be held securely in terms of the abovementioned Data Protection Legislation. For further information on our legal basis for processing your information and for your rights in terms of Data Protection Legislation, please go to the following webpage to view our Privacy Notice: <https://www.east-ayrshire.gov.uk/CouncilAndGovernment/About-the-Council/Information-and-statistics/DataProtectionAndFreedomOfInformation/DataProtectionandFreedomofInformation.aspx>*

Signed

Date

Print name

The Council will notify you of the outcome of your application. Registration lasts for 3 years from the date an application is approved. 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.

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 or calling East Ayrshire Council.

Payment

Please see *Note 6* to calculate how much you have to pay for this application.

Payment is due at the time you submit this application. If paying by cheque please make payable to East Ayrshire Council. When you have completed this form please return it to the address below.

Private Sector Housing Unit, Civic Centre North, John Dickie Street, Kilmarnock KA1 1HW

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 violence, drugs, 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, the local authority 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, but 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 his or her properties are exempt, the other properties must still be registered.

A property is exempt from registration if it is:

- let to members of the landlord's family only
- 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 liferent
- 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
- 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

'Discrimination legislation' means:

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Religion or Belief) Regulations 2003

Note 4

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 5

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. 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 6

Each landlord and agent applying for registration should pay a principal fee to each local authority in which they apply and, in the case of landlords, a property fee for each property listed.

- £55 for the main applicant
- £11 for each property
- £55 for each agent who has not registered or applied for registration separately and who acts only in relation to one property
- No principal or property fee for any joint owners, whether they are family members or not (100% discount for all joint owners)
- Charities pay no principal or property fee
- You do not have to pay a principal fee for anyone who holds an HMO licence from East Ayrshire Council
- Following two requests for a valid application to be submitted a late application fee of £110 is applied. This fee can also be charged to charities despite their 100% exemption from the principal and property fee.
- Consecutive discount if applying online to various local authorities

Exemptions

The following exemptions apply to both the principal fee and the property fee.

Charities: Registered charities are exempt from paying both the principal fee and the property fee although they are still required to register. This means that charities received 100% discount.

Joint Owners: 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 owner is exempt from paying both the principal fee and any property fees for the jointly owned properties. If a non-lead joint owner also rents out properties which are not jointly, then they should pay the relevant fee for registering these properties. The discount for joint owners also applies to members of an unincorporated trust.

HMO Licence Holders: Where an application is submitted by a person who holds an HMO licence in the local authority to which the application is being made, that person will be exempt from paying either the principal fee of the property fee (unless any non-HMO properties are contained within the application at which point a property fee will be payable).

Late Application Fee: Where an application is submitted only after the local authority has issued two separate requests for an application to be made, a late application fee of £110 is payable. This late application fee of £110 can also be applied to a charity if they fail to make a valid application for registration following two requests from a local authority.

If you are unsure how much your fee will be, please contact East Ayrshire Council by:

- **Writing to:** Private Sector Housing Unit, Civic Centre North, John Dickie Street, Kilmarnock KA1 1HW
- **Telephoning:** 01563 554560 / 554584 / 576878
- **Emailing:** LandlordRegistration@east-ayrshire.gov.uk

Note 7

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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.



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