

The Application Form and Documentation

The following documentation is needed to make an application to the Chamber:

1. Application Form B.
<https://www.housingandpropertychamber.scot/sites/default/files/hpc/Form%20B%20Right%20of%20Entry%20applications%20%5BRevised%20May%202018%5D.pdf>
2. Evidence that the Tenant was notified of the need to access the property.
3. The Tenancy Agreement/Lease.

Any hard copies of documentation will be returned once it has been logged in the Tribunal's electronic case management system. The application form and documentation must be submitted to the Chamber.

Remedies

Where possible, the Chamber will help parties agree a date and time for entry to be gained by the Landlord. If an agreement cannot be reached, the Chamber will seek a warrant for access to be gained. Depending on the case, it may be that a Member of the Chamber will be in attendance at the property to ensure that the Landlord has gained entry to the property.

Contacting the Housing and Property Chamber

Housing and Property Chamber,
First-tier Tribunal for Scotland,
Glasgow Tribunals Centre,
20 York Place, Glasgow, G2 8GT



0141 302 5900



HPCAdmin@scotcourtsribunals.gov.uk



www.housingandpropertychamber.scot/home

Housing Law

Know your Rights & Remedies

The Landlord's Right of Entry

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LAW CLINIC

The Landlord's Right of Entry

The Right of Entry

Under Scots law, Landlords have the right to enter a property for the purposes of:

1. Checking that the physical condition of the property meets The Repairing Standard.
2. Making repairs to the property so that its condition meets The Repairing Standard.

Landlords must give the tenant the appropriate period of notice before entering. This right of entry is only held by Landlords and as a result, it is (usually) they who can exercise this right. Landlords can authorise another party to enter a property on their behalf. This authorised party can only enter the property for the reasons outlined above.

The Repairing Standard

'The Repairing Standard' applies to housing in the Private Rented Sector. This is the minimum standard that the physical condition of a property must meet to ensure that the property is fit for human habitation.

In general terms, properties must be wind and water tight, and be in a reasonable state of repair and working order (this includes both the physical conditions and the fixtures and fittings). In addition, there must be a smoke detector in the property.

Landlords are required to ensure that the property meets The Repairing Standard from the beginning of the tenancy to the end of the tenancy. The standard has to be met at all times throughout the period of the tenancy.



Applying to The Housing and Property Chamber

If a tenant does not agree to allow access, private sector landlords can make an application to the Chamber in order to gain help with accessing a property. Landlords in Scotland must be registered and therefore, an application can only be made by registered Landlords or by those who have a registration application being processed.



Before making an application, the Landlord must give the Tenant at least 24 or 48 hours notice (depending on the tenancy) that access to the property is needed. An application will not be accepted if the Tenant had not been given prior notice. There is a template on the Chamber's website that can be used to provide the Tenant with such notification:

<https://www.housingandpropertychamber.scot/apply-tribunal/right-entry/right-entry-application-and-guidance>

The Housing and Property Chamber of the First-tier Tribunal for Scotland

The Housing and Property Chamber of the First-tier Tribunal for Scotland, is a specialist Tribunal created to help parties resolve housing disputes in the Private Rented Sector. The Housing and Property Chamber is the new way in which remedy can be sought for disputes relating to: Property Factors, Letting Agents, Landlord Registration, and Tenancy Deposits.