

## **APPLICATION FOR LANDLORD REGISTRATION**

### **(Add a property)**

### **Under the Antisocial Behaviour etc (Scotland) Act 2004**

You can use this form to add more properties to you existing registration/application with the Highland Council.

For more information or advice, please visit our website [www.highland.gov.uk/landlord\\_registration](http://www.highland.gov.uk/landlord_registration) or refer to **Application Notes attached** where you can also find the contact details of the Landlord Registration Team.

You can also apply online at [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk).

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You must register with each local authority in whose area you let or manage 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. This will reduce the total fee you will have to pay.

If you are already registered in one of the local authorities, you can use the online system to add other authorities and properties, using your current login details.

| <b>For office / Service Point use only</b>                                             |                                            | <b>Privacy Policy included</b> |
|----------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------|
| Income code:<br><br><b>10-0-1010227-11110-63063</b><br><br>(prev. 10-31103-000-KC4106) | FEE PAID                                   | £                              |
|                                                                                        | RECEIPT NO.                                |                                |
|                                                                                        | DATE RECEIVED                              |                                |
|                                                                                        | RECEIVED BY:<br>(Service Point & Initials) |                                |

## **PART 1 – PROPERTIES**

Please give details of **all let properties in the Highland Council area that you wish to add to your registration/application**, making sure to indicate joint ownership and agent management where applicable.

If you would like to add more than one property, please provide the details on a separate sheet and attach to this form.

### **Question 1.1**

Landlord's name and reference number

### **Question 1.2**

If your **home address is the let property address** because you still live in the property, you still need to register. You must however update your home address as soon as you move out of the let property.

Your application **will not be approved** unless your home address is different from the let property address.

Property address (including postcode)

### **Question 1.3**

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

- at least three unrelated adults live there, and
- the people who live there are members of at least 3 different 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 Highland Council on 01349 886606 and ask for HMO Licensing for the area where the property is situated.

Is this property a House in Multiple Occupation?

Yes

☐

No

☐

If **yes**, please give the HMO licence number

#### Question 1.4

**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.

Is this property an accredited property?

Yes

☐

No

☐

If **yes**, please provide the accreditation number

#### Question 1.5

**A Repairing Standards Enforcement Order (RSEO)** is an order served by the Housing and Property Chamber on a landlord who has failed to meet their statutory obligation under the Repairing Standard as defined in the Housing (Scotland) Act 2006.

Does this property have a Repairing Standards Enforcement Order (RSEO)?

Yes

☐

No

☐

If **yes**, please provide details below

Details:

RSEO reference number:

#### Question 1.6

**An agent** is anyone who acts for you **in relation to a property 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, etc. 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 **no**, go straight to **Question 1.7**

If **yes**, has this person already registered, or applied for registration, with Highland Council if a non-commercial agent or the Scottish Letting Agent Register if a commercial letting agent?

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 form and return it to us. A fee will be required. It can be paid either by your agent or yourself.

|                                         |  |
|-----------------------------------------|--|
| Agent's name                            |  |
| Agent's address<br>(including postcode) |  |

### Question 1.7

***All joint owners of any let property must be registered. Your application cannot be approved until all joint owners have submitted a valid application.***

Do you jointly own this property with anyone else?

Yes

☐

No

☐

**If no**, go straight to **Question 1.7**

**If yes**, has this person already registered, or applied for registration, with Highland Council?

Yes

☐

No

☐

**If yes**, please enter their registration/application number

**If no**, please enter their name and address here. Each joint owner will need to complete a separate form and return it to us.

|                                      |  |
|--------------------------------------|--|
| Joint owner's name                   |  |
| Date of birth:                       |  |
| Home address<br>(including postcode) |  |

Is this person a member of your family?

Yes

☐

No

☐

### Question 1.8

**Contact address** is the address that members of the public, including tenants and neighbours can use to get in touch with you regarding the property. It will appear on the public search facility. 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  
home  
address

☐

Your  
correspondence  
address

☐

Your  
agent's  
address

☐

Another address  
(please give  
details)

## **PART 2 - DECLARATIONS**

**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.**

Information on the law and good practice in letting is available online at [www.mygov.scot/renting-your-property-out/](http://www.mygov.scot/renting-your-property-out/) or at [www.rentingscotland.org/landlords-guide](http://www.rentingscotland.org/landlords-guide) and other sources.

If in doubt about legal requirements you should consult a solicitor or professional letting agent.

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 relevant information with, and seek relevant information from, Police Scotland and, if appropriate, other relevant authorities. Information is shared pursuant to section 139 of the Antisocial Behaviour etc. (Scotland) Act 2004 and / or the Data Protection Act 2018.

Under the Data Protection Act 2018 information is shared for the purposes of preventing and detecting crime.

By submitting this form you are confirming that:

- the details provided within this form are correct; and
- that you comply with all other Scottish legal requirements (<https://www.mygov.scot/renting-your-property-out/your-responsibilities/>) relating to letting property.

**Signed**

**Date**

**Print name**

The Council will notify you of the outcome of your application.

**It is a legal requirement to keep your registration details up to date.** You must inform us 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.

You can update your details online at [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk), or by emailing Highland Council at [landlord.registration@highland.gov.uk](mailto:landlord.registration@highland.gov.uk).

Your registration lasts for **3 years** from the date an application is approved and it will need to be renewed if you are still letting the property.

## **PART 3 – PRIVACY POLICY**

### **Privacy policy**

The Scottish Landlord Registration System is provided by Scottish Government and hosted on this website by Registers of Scotland (RoS), on behalf of local authorities in Scotland who are required by Part 8 of the [Antisocial Behaviour etc \(Scotland\) Act 2004](#) (opens in a new window) to prepare and maintain a register of landlords.

For the purposes of **General Data Protection Regulation (GDPR)**, the relevant local authority is the data controller of the content of the Scottish Landlord Registers. For landlords operating across more than one local authority area there will be multiple data controllers. Each local authority can only access data for landlords operating within their authority area.

### **The information we collect**

The Antisocial Behaviour etc. (Scotland) Act 2004 requires that private landlords must register with the local authority and be assessed as 'fit and proper' to let residential properties in Scotland.

The information private landlords must provide is prescribed by legislation and does not have need of consent, it is a requirement to provide this information if you wish to operate as a private landlord in Scotland.

Information held within a registration will have been provided by the landlord themselves, either via the online application system or in writing and transferred to the system by the local authority. The local authority may also add notes to a registration as part of their administration.

### **Information Sharing**

Legislation permits the sharing of landlord registration with relevant authorities. This includes other local authorities, Police Scotland, Scottish Fire and Rescue Service and other public bodies. It may also be shared for the purposes of preventing and detecting crime.

Landlord information will **never** be shared with third party or commercial companies.

### **Public Search**

Legislation also dictates that registration status and contact details for a landlord shall be made available via the public search: <https://www.landlordregistrationscotland.gov.uk/search>

This facility provides assurance to prospective tenants that a landlord or a property is legitimately registered, and allows neighbours of let properties to contact landlords. It will also show where a landlord has had a registration refused or revoked.

Your contact details will be shared via the public search facility, unless it would be unsafe to do so. The public search does not allow mining of landlord's contact details, only targeted searches using a specific property or landlord registration number are possible.

Repairing Standard Enforcement Orders (RSEOs) are required by legislation to be displayed against any property upon which they have been served.

## Data Retention

The information provided by landlords will typically be held for 5 years after a registration has ended.

## Accuracy of Information held within the register

It is a landlord's responsibility to ensure their information held within the system is accurate and up to date. Landlords can update their information to reflect changes using the Renew / Update Journey.

## Access to data / Subject Access Requests

Landlords and agents can ask to see their personal information held within the system by contacting the relevant [local authority](#).

## Contacting Landlords

Landlord Registration is subject to a three year renewal period, with a Late Application Fee penalty for any registrations that expire prior to submission of a renewal application.

To avoid this occurrence the system will prompt landlords for renewal at 90 days and again at 30 days before expiry. The reminders are issued via email or by post where an email address is not held.

Local authorities may also contact landlords to advise of legislative changes or to provide advice on good practice in letting houses, as part of their legislative function.

## Scottish Government and Registers of Scotland (RoS)

Scottish Government and RoS are the joint data processors as regards any personal data which may be collected and processed in connection with public access to the website and the landlord register public search facility.

We collect the following information:

- for each visit to the website we will automatically collect the Internet protocol (IP) address used to connect your computer to the Internet
- we automatically issue cookies to users who enter the website. Read full details on our [cookies policy](#) page.

IP addresses and cookies do not in themselves identify individual users but identify only the computer used. **We will not use any data we collect to identify any user personally.**

## Payment information

The Scottish Government and RoS provides a service to local authorities, to process payments of registration fees made online by debit or credit card. The Scottish Government will only have access to such information as is necessary to provide that service, and will only process that information for the purpose of providing that service.



## Disclaimer

We seek to ensure that the information and help provided on this website is up to date and accurate. However, this information does not constitute legal or professional advice and the Scottish Government and RoS cannot accept any liability for actions arising from its use.

## Further information

If you have any further questions about how your data is used by the landlord register, contact the relevant [local authority](#).

## IN THE HIGHLAND COUNCIL AREA:

### Data controller

The data controller for landlord registration in the Highland area is The Highland Council.

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### Data Protection Officer

Contact our Data Protection Officer:

Data Protection Officer  
Highland Council Headquarters  
Glenurquhart Road  
Inverness  
IV3 5NX

[dpo@highland.gov.uk](mailto:dpo@highland.gov.uk)

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### Supervisory authority

If you are unhappy with the way we have processed your personal information you can contact the Information Commissioner:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113

<https://ico.org.uk/global/contact-us/>

## **PART 4 – PAYMENT DETAILS**

*Payment must be made at the time of application. **Your application is not valid without the payment and cannot be approved.** If you let or advertise for let a property without making a valid application, you will be committing a criminal offence.*

### **Property fee**

£17 increasing to **£18 from 1<sup>st</sup> April 2024** for **each** of the properties you wish to register with the Highland Council.

If you hold a valid HMO Licence for the property from the Highland Council or the property is owned by a registered charity then you are **exempt** from paying the property fee but **you are still required to be registered**.

If you use a commercial letting/managing agent for any of your properties, the agent must provide you with their Scottish Letting Agent Register number beginning with LARN and you must declare this within your application.

### **Additional fee for late applications**

If the local authority has issued two separate requests for an application to be made, applicants will be charged an additional late application fee of £149, increasing to **£160 from 1<sup>st</sup> April 2024** in addition to the fees detailed above.

### **You can pay your application fees in the following ways**

- **Online:** Visit **www.landlordregistrationscotland.gov.uk** - payment can be made by **debit or credit card** using the secure server; you can print a copy of the payment for your own records.
- **In person:** Take your application form to any Highland Council Service Point where you can pay by **debit or credit card**. The Service Point will forward your receipted application form to the Landlord Registration Team.
- **By post (cheque):** **Highland Council no longer accepts cash or cheque payments.** Your payment must be made either online or by telephone to the Highland Council payment line on 01349 886605 (as above) or by card at a Service Point.
- **Over the phone:** You can call the Highland Council payment line on **01349 886605**. The lines are open 9 am to 5 pm Monday to Friday. Ask the person taking your payment to email **landlord.registration@highland.gov.uk** with your payment details. Please then record your payment details below and send your application to us.
- **Whichever payment method is used, you must submit a completed application form.**

|                          |  |
|--------------------------|--|
| Date when payment taken  |  |
| Amount                   |  |
| Payment reference number |  |

## **Application Notes**

### **Note 1 – What properties need to be registered?**

Every property which is available for residential let in Scotland (unless covered by one or more exemptions) needs to be registered.

Please note that properties let as 'tied' accommodation (provided as part of someone's job), even if no rent is being paid, need to be registered.

### **Note 2 – What kind of properties are exempt from registration?**

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 (however other properties let as part of the tenancy which are sub-let to 3rd parties will need to be registered)
- occupied under a liferent
- used for holiday lets only (as per HMRC definition)
- 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 for a period not exceeding 6 months from the date of the owner's death
- 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 – How does it work if I jointly own a property with someone else?**

Every owner of a property must register. You nominate one of your number as the 'lead owner', this will be the lead landlord for your registrations. The lead owner will pay the full fee with the other joint owners qualifying for a 100% discount.

It is very important for all joint owners to register as your applications cannot be approved otherwise. Each owner of the property will have their own unique registration.

### **Note 4 – Who has access to the information on the landlord register?**

There is a public search facility of the register on the landlord registration website. By entering any landlord's name and home address as they have declared it, you can see whether that person is registered. By entering any let property address you can see the owners name and the contact address for the landlord or agent of that property.

### **Note 5 – I have an HMO licence. Do I still need to register?**

If you let a property with a House in Multiple Occupation (HMO) licence, you will have already been found to be 'fit and proper'. You and your properties will still need to be registered. You will not need to pay a registration fee. If you also let other properties which are not HMOs, these must also be registered and a fee of £17, increasing to £18 from 1<sup>st</sup> April 2024, per property will be required.

A comprehensive list of frequently asked questions regarding landlord registration may be found on our website at [www.highland.gov.uk/landlord\\_registration](http://www.highland.gov.uk/landlord_registration)

*If you need any more information or advice, please contact the Landlord Registration Team directly on 01349 868525 or email at **landlord.registration@highland.gov.uk***