



Shetland Islands  
Council



This leaflet is a reproduction of the **Housing Options Guide – Private Rented (Tenant and Landlords Rights and Responsibilities)** section.

If you would like this information produced in any other format, please telephone 01595 744360 or email [housing@shetland.gov.uk](mailto:housing@shetland.gov.uk).

### Useful Links

Shetland Tenants' Forum  
[www.shetland.gov.uk/housingoptionsguide/tenants-forum.asp](http://www.shetland.gov.uk/housingoptionsguide/tenants-forum.asp)  
Better Renting Scotland  
[www.betterrentingscotland.com](http://www.betterrentingscotland.com)

## Tenant and Landlord Rights and Responsibilities

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- Both tenants and landlords in any type of rented accommodation, including private rented, have certain rights and responsibilities regarding the tenancy.
- There should be a tenancy agreement that sets down the terms and conditions of the tenancy including the rent.

### Tenants' Rights

Every tenant has the right:

- To know the terms of the tenancy and to have a written tenancy agreement, please see [Assured Tenancies in Scotland - Your Rights and Responsibilities](#)
- To know the name and address of the landlord
- To a decent standard of repair
- To proper notice if the landlord wants the tenant to leave
- To 'quiet enjoyment' while staying in the property e.g. not to be harassed by the landlord

### Tenants' Responsibilities

- Tenant responsibilities for [repairs](#) should be set out in the tenancy agreement. Although tenants should not be responsible for general wear and tear, they must make sure the fittings, fixture, furniture (where supplied) and other contents are not damaged because of their misuse or negligence.
- Tenants should inform their landlord promptly of any necessary repair work.
- Tenants are also responsible for the payment of their rent as laid out in the tenancy agreement.

## Landlords' Rights

Every landlord has the right:

- To charge a market rent
- To agree the terms of the tenancy before it begins
- To receive rent when it is due
- To be advised of any necessary repairs
- To be given the proper notice by a tenant if they wish to leave

## Landlords' Responsibilities

- Landlords have certain responsibilities to maintain certain standards within the property. The Tenancy agreement should set out who is responsible for what repairs, the conditions of the tenancy and the rent to be paid.

The landlord has a general responsibility to keep in good repair and working order:

1. The structure and exterior of the property, including drains, gutters and external pipes
2. Water and gas pipes and electrical wiring (e.g. including taps and sockets)
3. Basins, sinks, baths and toilets
4. Fixed heaters and water heaters
5. Repairs to common parts of the building such as stairways, hallways shared with other tenants, etc.

- Landlords are obliged to keep the property wind and watertight and in good tenable condition.
- There are regulations in place to ensure that all landlords carry out annual checks on gas installations and electrical appliances.
- All private landlords letting residential property in Scotland, must register with the [Landlord Registration Scheme](#). Landlords should register before starting to let a property.

## Safety

Before letting a property, the landlord needs to ensure that it is clean, dry, safe and in a habitable condition. The electricity supply, the plumbing and the central heating should all be checked for safety, and the kitchen should be of a reasonable standard with safe facilities for storing and preparing food.

### Safety of Electrical Equipment

Electrical equipment in furnished privately rented housing, which is hired as part of the tenancy agreement is subject to the Electrical Equipment (Safety) Regulations 1994. These regulations require that electrical equipment must be safe to use and would apply, for example, to bedside lamps, televisions, vacuum cleaners, refrigerators, portable electrical fires, etc.

### Safety of Furniture & Furnishings

It is the landlords responsibility as supplier or agent of holiday or let accommodation to ensure that all the upholstered furniture complies with the [Furniture and Furnishings \(Fire\) \(Safety\) Regulations 1988](#). These regulations set new levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery.