SCOTTISH STATUTORY INSTRUMENTS

2026 No. 115 (C. 10)

HOUSING

The Housing (Scotland) Act 2025 (Commencement No. 3) Regulations 2026

Made - - - -	*26th February 2026*
Laid before the Scottish Parliament	*2nd March 2026*
Coming into force - -	*1st April 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 86(2) and (4) of the Housing (Scotland) Act 2025(**a**) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Housing (Scotland) Act 2025 (Commencement No. 3) Regulations 2026.

(2) These Regulations come into force on 1 April 2026.

(3) In these Regulations—

"the 1987 Act" means the Housing (Scotland) Act 1987(**b**),

"the 1988 Act" means the Housing (Scotland) Act 1988(**c**),

"the 2001 Act" means the Housing (Scotland) Act 2001(**d**),

"the 2011 Act" means the Property Factors (Scotland) Act 2011(**e**),

"the 2014 Act" means the Housing (Scotland) Act 2014(**f**),

"the 2016 Act" means the Private Housing (Tenancies) (Scotland) Act 2016(**g**),

"the Act" means the Housing (Scotland) Act 2025.

(**a**) 2025 asp 13.
(**b**) 1987 c. 26.
(**c**) 1988 c. 43.
(**d**) 2001 asp 10.
(**e**) 2011 asp 8.
(**f**) 2014 asp 14.
(**g**) 2016 asp 19.

Appointed days

2.—(1) 1 April 2026 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in Part 1 of the schedule (the subject matter of which is described in the corresponding entry in column 2 of that table).

(2) 1 August 2026 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in Part 2 of the schedule (the subject matter of which is described in the corresponding entry in column 2 of that table).

(3) 6 October 2026 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in Part 3 of the schedule (the subject matter of which is described in the corresponding entry in column 2 of that table).

(4) 1 April 2027 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in Part 4 of the schedule (the subject matter of which is described in the corresponding entry in column 2 of that table).

(5) Where a purpose is specified in column 3 of the table in Parts 1, 2, 3 or 4 of the schedule, the corresponding provision in column 1 comes into force, in accordance with this regulation, only for that purpose.

MAIRI MCALLAN
A member of the Scottish Government

St Andrew's House
Edinburgh
26th February 2026

SCHEDULE

Regulation 2

Appointed days

PART 1

Provisions coming into force on 1 April 2026

Table 1

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
Section 1	Periodic assessment of rent conditions	
Section 2	Report to Scottish Ministers following periodic assessment	
Section 3	Interim assessment and reports by local authorities	
Section 4	Scottish Ministers to review local authority report	
Section 5	Further assessment of rent conditions and report by local authority	
Section 6	Ministerial guidance on assessments of rent conditions	
Section 7	Ministerial guidance on reports following assessments of rent conditions	
Section 8	Scottish Ministers' duty to report	
Section 9	Power to designate rent control area	
Section 10	Designation of rent control area: consultation	
Section 11	Duty to keep rent control area under review	
Section 12	Variation of rent controls in existing rent control area: consultation	
Section 13	Properties subject to modified rent control area restrictions	
Section 14	Information that may be sought by local authority or the Scottish Ministers	
Section 15	Information sharing and cooperation between local authorities and the Scottish Ministers	

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
Section 18	Scottish Ministers' request for landlord information from local authorities	
Section 19	Power to require landlords to provide information	
Section 20	Power to modify law in connection with the expiry of rent control area	
Section 21	Scottish Ministers: information and research	
Section 22	Prospective landlords' duty to include information about rent in advertisements	For the purposes of an advertisement placed on or after 1 April 2026.
Section 23	Setting and variation of rent	For all remaining purposes.
Section 27	Review of the operation of Part 1 of the Act	
Section 33	Review of eviction grounds	
Section 35	Private residential tenancies: keeping pets and making changes to let property	For the purposes of inserting sections 64B(1) and (3), 64C(3), 64E, 64F, 64G, 64I(1) and (3), 64J(3), 64L, 64M, 64N, and 64O into the 2016 Act to enable the Scottish Ministers to consult or, as the case may be, make regulations under those sections.
Section 36	Scottish secure tenancies etc.: keeping pets	For the purposes of inserting sections 31B, 31C and 31D, and paragraph 8B of schedule 5, into the 2001 Act to enable the Scottish Ministers to consult or, as the case may be, make regulations under those sections or that paragraph.
Section 38	Applications for registration	For the purposes of applications for registration under section 30(1) of the 2014 Act made on or after 1 April 2026.
Section 39	Duty to inform: change of circumstances	
Section 40	Revocation of registration: where agent no longer exists	
Section 41	Removal from register on application: notification of agent	
Section 42	Note on register where entry refused or removed: duration	
Section 43	Power to obtain information and carry out inspections	For the purposes of a notice served by the Scottish Ministers

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
		under section 52(1) of the 2014 Act on or after 1 April 2026 or, as the case may be, an inspection carried out by an authorised person under section 53(1) of the 2014 Act on or after 1 April 2026.
Section 44(1) and (3)	Private residential tenancies: ending a joint tenancy	For the purposes of enabling regulations to be made under section 48A(1)(b)(ii), (1)(c)(ii)(B), (3)(c), (5), (6) and (7) of the 2016 Act (as inserted by section 44(3) of the Act).
Section 45	Student residential tenancies: power to enable tenant to bring tenancy to an end	
Section 52(1)	Duties of relevant bodies in relation to homelessness	
Section 52(9)	Duties of relevant bodies in relation to homelessness	For the purposes of enabling regulations to be made under section 36C(2)(c) of the 1987 Act (as inserted by section 52(9) of the Act).
Section 52(11)	Duties of relevant bodies in relation to homelessness	
Section 52(12)(c) and (13)	Duties of relevant bodies in relation to homelessness	For the purposes of enabling regulations to be made under section 43A of the 1987 Act (as inserted by section 52(13) of the Act).
Section 53	Power to modify provision about a person becoming homeless intentionally	
Section 58	Scottish social housing charter: supporting tenants effected by domestic abuse	
Section 61	New pitch fees: considerations	For the purposes of a notice served by an owner on an occupier, under paragraph 17(1) or 19(1) of Chapter 2 of Part 1 of schedule 1 of the Mobile Homes Act 1983(**a**), on or after 1 April 2026, proposing a new pitch fee.
Section 62	Meaning of "protected site"	
Section 64	Registration: fit and proper person considerations	

(**a**) 1983 c. 34.

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
Section 65	Revocation of registration: where property factor no longer exists	
Section 66	Removal from register following application	
Section 67	Note on register where refusal or removal	For the purposes of a decision to refuse to enter a person in the register under section 4(5) of the 2011 Act, or a decision to remove a person from the register under section 8(1) of the 2011 Act, where that decision was taken on or after 1 April 2026.
Section 68	Property factor registered numbers: inclusion in communications	For the purposes of communication sent or placed on or after 1 April 2026.
Section 69	Monitoring of compliance	
Section 70	Power for majority of owners to dismiss and appoint manager	For the purposes of a vote to exercise the power in section 64(1) of the Title Conditions (Scotland) Act 2003(**a**) which takes place on or after 1 April 2026.
Section 71	Fuel poverty strategy: consultation	
Section 72	Periodic reports: periods, consultation and publication etc.	
Section 73	Advisory panel: removal of funding cap	
Section 77	Review of classification of properties	
Section 80	Guidance for local authorities about a local housing emergency	
Section 81	Rural impact assessment	
Section 85	Minor and consequential amendments	For the purposes of bringing into force the minor and consequential amendments in the schedule of the Act that are listed in this table.
Paragraph 1 of the schedule	Rent (Scotland) Act 1984	
Paragraph 3(1), (2)(a) and (3) of the schedule	Housing (Scotland) Act 2001	
Paragraph 3(2)(b) and (c) of the schedule	Housing (Scotland) Act 2001	For the purposes of inserting “, 31B(1), 31C(1)” into sections

(**a**) 2003 asp 9.

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
		109(4) and 109(6) of the 2001 Act.
Paragraph 4 of the schedule	Housing (Scotland) Act 2006	
Paragraph 5 of the schedule	Property Factors (Scotland) Act 2011	
Paragraph 6 of the schedule	Housing (Scotland) Act 2014	
Paragraph 7(1) and (2)(a) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	
Paragraph 7(3) and (4)(a)(i), (b) and (c) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	
Paragraph 7(4)(d) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	For the purposes of inserting paragraph (ca) into section 73(2) of the 2016 Act.
Paragraph 7(5) and (6)(a) and (b) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	
Paragraph 7(6)(c)(i) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	For the purposes of inserting ", 17A(6)" into section 77(3) of the 2016 Act.
Paragraph 7(6)(c)(ii) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	For all purposes except the insertion of "51A(6)," into section 77(3) of the 2016 Act.
Paragraph 7(6)(d), (7) and (8) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	

PART 2

Provision coming into force on 1 August 2026

Table 1

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
Section 49	Scottish secure tenancies: succession	For the purposes of Scottish secure tenancies where the tenant's death occurs on or after 1 August 2026.
Section 50	Social landlords: delivery of notices etc	For the purpose of notices or other documents authorised or required by Chapter 1 of Part 2 of the 2001 Act, which are given on or after 1 August 2026.

PART 3

Provisions coming into force on 6 October 2026

Table 1

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
Section 34	Payments for wrongful termination	For the purposes of a private residential tenancy which has been brought to an end by an eviction order, or in accordance with section 50 of the 2016 Act, on or after 6 October 2026.
Section 48	Private residential tenancies: succession	For the purposes of a private residential tenancy where the tenant's death occurs on or after 6 October 2026.

PART 4

Provisions coming into force on 1 April 2027

Table 1

Column 1 (Provisions of the Act)	Column 2 (Subject matter)	Column 3 (Purpose)
Section 25	Private residential tenancies: capping of rent increases	For the purposes of a rent increase notice given by a landlord to a tenant under section 22(1) of the 2016 Act on or after 1 April 2027.
Section 26	Assured tenancies: capping of rent increases	For the purposes of a rent increase notice served by a landlord on a tenant under section 24(1) of the 1988 Act on or after 1 April 2027.
Section 44	Private residential tenancies: ending a joint tenancy	For all remaining purposes.
Section 85	Minor and consequential amendments	For the purposes of bringing into force the minor and consequential amendments in the schedule of the Act that are listed in this table.
Paragraph 2 of the schedule	Housing (Scotland) Act 1988	For the purpose of inserting "or 37(5)" into section 53(2) of the 1988 Act.
Paragraph 7(2)(b) of the schedule	Private Housing (Tenancies) (Scotland) Act 2016	For the purposes of a rent increase notice given by a landlord to a tenant, under section 22(1) of the 2016 Act, on or after 1 April 2027.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force a number of the provisions of the Housing (Scotland) Act 2025 ("the Act") on 1 April 2026, 1 August 2026, 6 October 2026 and 1 April 2027.

Part 1 of the Act (sections 1 to 27), with the exception of sections 16, 17 and 24, is brought into force on 1 April 2026. Part 1 introduces an obligation on a local authority to conduct an assessment of rent conditions in their area and submit a report on that assessment to the Scottish Ministers. In that report, the local authority must make a recommendation as to whether rent control is necessary in any part of their area. Local authorities and the Scottish Ministers are given powers in Part 1 to request information about a property and a tenancy from a landlord. Part 1 then enables the Scottish Ministers to designate an area as a rent control area where they consider it necessary and proportionate, and it provides rules to regulate rent increases in the rent control area and the advertisement of rental properties in the rent control area.

Sections 25 and 26 of the Act amend the powers of rent officers and the First-tier Tribunal to set rent following referral of a rent increase by a tenant (or landlord) so that the rent cannot exceed that sought by the landlord in the initial rent increase notice. Section 27 requires the Scottish Ministers to conduct a five-yearly review of the operation of Part 1 of the Act.

Part 2 of the Act (sections 28 to 34) is being brought into force under exception of sections 28 to 32. Section 33 requires the Scottish Ministers to conduct a review of eviction grounds within 2 years of Royal Assent. Section 34 of the Act is being brought into force on 6 October 2026 and that section changes the sums that can be awarded to a tenant for wrongful termination.

Part 3 of the Act (sections 35 and 36) introduces procedures whereby a tenant can make a request to keep a pet at the property and make changes to the property. The only provisions in Part 3 that are being brought into force in these Regulations are the regulation-making powers for the Scottish Ministers to provide further detail as to how those procedures will operate once they are in force and the duties to consult before laying such regulations. Those powers and duties are brought into force on 1 April 2026.

Part 4 of the Act (sections 37 to 51) makes general provision relating to tenants and is being brought into force under exception of sections 37 and 51. Sections 46 and 47 are already in force. Sections 38 to 43 are being brought into force on 1 April 2026 and those sections make procedural changes to the operation of the letting agents register. Section 44 makes changes to the Private Housing (Tenancies) (Scotland) Act 2016 ("the 2016 Act") to enable a single joint tenant to unilaterally terminate a joint tenancy. The regulation-making powers in section 44 are being brought into force on 1 April 2026 and the remainder of section 44 will come into force on 1 April 2027. Section 45 provides a regulation-making power for the Scottish Ministers to introduce notice periods for a student tenant to terminate their student tenancy. Sections 48 and 49 shorten the qualifying period for succession to a private residential tenancy or Scottish secure tenancy from 12 months to 6 months. Section 50 makes procedural changes for the way in which notices are to be served under the Housing (Scotland) Act 2001.

Part 5 of the Act (sections 52 to 59) makes general provision in relation to homelessness. Section 52 is being brought partially into force only for the purposes of enabling regulations to be made under the powers in new sections 36C(2)(c), 40A and 43A of the Housing (Scotland) Act 1987 ("the 1987 Act"). These powers enable the Scottish Ministers to specify additional actions that a relevant body must take in relation to a person who is threatened with homelessness, to modify

the definitions of homeless and threatened with homelessness in the 1987 Act, and to modify the list of relevant bodies in the 1987 Act. Section 53 of the Act is being brought into force and it enables the Scottish Ministers to modify provisions in the 1987 Act relating to intentional homelessness. Section 58 of the Act is being brought into force enabling support services for those experiencing domestic abuse to be included as part of the Scottish Social Housing Charter.

Part 6 of the Act (sections 60 to 80) is being brought into force by these Regulations under exception of sections 60, 63, 74 and 79. Sections 75, 76 and 78 have already been brought into force. Section 61 changes the uprating index for mobile home pitch fee increases from RPI to CPI. Section 62 clarifies a previous amendment to the definition of "protected site" in the Mobile Homes Act 1983. Sections 64 to 69 make procedural changes to the operation of the property factors register. Section 70 reduces the majority required to dismiss a property manager under the Title Conditions (Scotland) Act 2003 from two thirds to a simple majority. Sections 71 to 73 make technical and procedural changes to the consulting, reporting and funding provisions of the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019. Section 77 obliges the Scottish Ministers to review the classification of properties for the purposes of section 72 of the Local Government Finance Act 1992. Section 80 enables the Scottish Ministers to produce guidance for local authorities in relation to local housing emergencies.

Section 81 of the Act (Part 7) is brought into force on 1 April 2026 and obliges the Scottish Ministers to conduct an assessment of the Acts impact on rural and island communities within 12 months of Royal Assent.

Section 85 of the Act which introduces the schedule of the Act, is brought into force but only insofar as it is necessary to give effect to the specified parts of the schedule relevant to the sections that have been commenced. The Regulations bring various minor and consequential amendments provided in the schedule of the Act into force on 1 April 2026 and 1 April 2027.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The Housing (Scotland) Act 2025 received Royal Assent on 6 November 2025. Under section 86(1) of the Act, Part 8 of the Act (sections 82 to 87) came into force on the day after Royal Assent (except for section 85). The following provisions of the Act have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.S.I. No.*
Section 46	6 December 2025	S.S.I. 2025/355
Section 47	6 December 2025	S.S.I. 2025/355
Section 23(3) (partially)	7 January 2026	S.S.I. 2025/355
Section 85 (partially)	7 January 2026	S.S.I. 2025/355
Paragraph 7(6)(c)(i) of the schedule (partially)	7 January 2026	S.S.I. 2025/355
Section 75	12 January 2026	S.S.I. 2025/408
Section 76	12 January 2026	S.S.I. 2025/408
Section 78	12 January 2026	S.S.I. 2025/408

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