Important information about changes to Scottish housing law in 2026

Changes to Scottish housing law, affecting Scottish secure tenants and short Scottish secure tenants are coming into force later in 2026. You do not need to take any action just now, but we want to make sure you are aware of the changes and know where to get help if you need it. There are a number of changes that will come into force on 1st August 2026 and further changes coming into force on 6th October 2026.

The Scottish Government has published new model Scottish secure tenancy and short Scottish secure tenancy agreements for use from 1 August 2026. These updated models reflect the domestic abuse tenancy provisions, changes made by the Housing (Scotland) Act 2025, and new repair-related duties coming into force later in 2026.

Your current tenancy agreement will not be re issued, however these rights will apply to you automatically. If we need to issue you with a new agreement or updated information in future, we will contact you directly.

Domestic abuse and tenancy rights from 1 August 2026

From 1 August 2026, Part 2 of the Domestic Abuse (Protection) (Scotland) Act 2021 is expected to give social landlords new powers to help victim-survivors of domestic abuse remain safely in their home, where that is appropriate and safe.

In certain circumstances, a social landlord may be able to apply to the court to end the tenancy rights of a tenant (including a joint tenant) who has behaved abusively and allow the tenancy to be transferred to the victim-survivor. This is intended to reduce the risk that someone experiencing domestic abuse has to leave their home, community, school or support network because of the abuse.

The court will decide whether the legal tests are met. Factors include whether the property is the victim-survivor's only or principal home and whether the behaviour meets the legal definition of abusive behaviour. We will consider each case carefully, sensitively and confidentially, and will work with specialist support services where appropriate. For further information please see our Domestic Abuse Policy

Support for tenants affected by domestic abuse

The Housing (Scotland) Act 2025 also strengthens the focus on the support that social landlords should provide to tenants who have experienced, are experiencing, or may be at risk of domestic abuse. Domestic abuse can include, but is not limited to, physical harm, psychological harm, threatening behaviour, controlling behaviour, coercive behaviour, or behaviour carried out through another person.

If you are affected by domestic abuse, or are worried about someone else, you can contact us in confidence on 01786 841101. If there is an immediate risk of harm, you

should contact the police or emergency services. Local and national support services are also available.

Further changes coming into force on 1st August 2026

- **Succession rights:** The rules on who may succeed to a Scottish secure tenancy after a tenant dies are changing. A person who wishes to succeed to the tenancy needs to have lived in the property as their only or principal home for a period of time before the tenant's death. That period of time is reducing from 12 months to 6 months.

  This does not mean that every person living in a property will automatically be entitled to take over the tenancy. The succession rules will still apply, including rules about the person's relationship to the tenant, whether the property was their only or principal home, and whether there have been any previous successions.
- **Rent increase notices:** The Housing (Scotland) Act 2025 updates the rules on how rent increase notices may be given under the Housing (Scotland) Act 2001. It will allow us to issue this notice by e-mail in certain circumstances. If we propose to increase your rent, we will give you the required notice in line with the legal requirements that apply at the time and will explain what the notice means, the proposed new rent, and any steps you can take if you have questions or concerns.

Changes on 6th October 2026 – Damp & Mould Repairs

New repair-related duties, commonly referred to as "Awaab's Law", are expected to come into force through the Investigation and Commencement of Repair (Scotland) Regulations 2026. These will introduce clear timescales for landlords to investigate reports of damp and mould, tell tenants the outcome of the investigation in writing, and begin any necessary repair works. These duties are intended to strengthen existing protections and help ensure that damp and mould are dealt with promptly.

What tenants should do: Please continue to report any repair concerns, damp, mould, as soon as possible using our normal contact details. We will update our policies and procedures to reflect the new legal requirements and will provide further information where a change directly affects you.

Further changes expected in due course

The Housing (Scotland) Act 2025 contains other changes which are not all fully in force yet and may require further regulations or guidance. These include changes relating to homelessness prevention, keeping pets, repossession proceedings and further protections for tenants.

We will provide further information to tenants when the Scottish Government confirms the relevant start dates, regulations and guidance. Until then, your current tenancy rights

and responsibilities continue to apply, subject to any changes already brought into force by law.

What this means for you

For most tenants, **there is nothing you need to do at this stage**. These changes are mainly intended to strengthen tenant protections, improve support for people affected by domestic abuse, and update how some tenancy rights operate. We will continue to keep tenants informed as further changes come into force.

If you have any questions about this information, your tenancy, or support available to you, please contact us at enquiries@rsha.org.uk. You may also wish to seek independent advice from a solicitor, Citizens Advice, Shelter Scotland, or another independent advice agency.