

May 2025

A Fairer Private Rented Sector Market: Tenants Research

Full Report

Table of Contents

1. Executive summary	3
1.1 Research background and methodology	3
1.2 Key insights	4
1.3 Next steps	6
2. Background and methodology	7
3. Tenants' starting points	15
3.1 Low awareness of tenants' rights	15
3.2 Power dynamics within the landlord-tenant relationship	17
3.3 Ambiguity and 'grey areas' within private rental arrangements	21
4. Overview of tenant journeys.....	25
5. Property issues and triggers for seeking support	30
5.1. Property disrepair and poor condition	30
5.2 Eviction notices and threats	35
5.3 Rent increases	37
5.4. Deposit issues.....	39
5.5 Combined issues	40
6. Seeking formal advice	42
6.1 Starting the advice journey	42
6.2 Experiences of advice journeys.....	46
7. Pursuing formal redress pathways	49
7.1 Starting the redress journey	49
7.2 Experiences along redress pathways	53
8. Summary: Opportunities for improvement.....	64
8.1. Opportunities to improve formal advice agencies	64
8.2. Opportunities to improve redress pathways overall.....	68
8.3. Opportunities to improve individual redress pathways	69
8.4. Considerations for the future	72
9. Appendix.....	73

1. Executive summary

1.1 Research background and methodology

Research background

Tenants in the Private Rented Sector (“PRS”) in Scotland are facing a range of issues relating to their properties and tenancy, including disrepair and poor property conditions.

However, relatively few PRS tenants are pursuing resolutions for such issues through formal redress systems, such as through the Housing and Property Chamber of the First-Tier Tribunal for Scotland (“the Tribunal”), Rent Service Scotland or local authority housing teams.

Evidence has shown that tenants are put off raising issues out of fear of a detrimental response from their landlord, as well as having low expectations of redress processes and outcomes¹.

Considering this, Consumer Scotland wanted to build its understanding of how well current redress mechanisms are working for PRS tenants in Scotland and explore what better looks like, through commissioning a programme of qualitative research.

Methodology

In order to explore this topic, we used a three-stage approach:

- Setting up the project, designing the research, and recruitment
- Six expert stakeholder interviews and three advisor focus groups
- 40 interviews with PRS tenants
 - 10 who did not seek formal advice or redress
 - 12 who sought formal advice, but not redress
 - 18 who sought redress

Our methodology is outlined in the diagram below. Further detail is available in 2.3.

¹ [Consumer Scotland, A Fairer Rental Market: Consumer challenges in the private and social rented sectors \(2024\)](#)

1	Project set up, research design and recruitment	
2	6 x Expert stakeholder interviews 30 minute online interviews	3 x Advisor Focus Groups 90 minute online interviews
3	All participants completed a pre-task exercise	
	40 x Tenants interviews 12 x advice only 18 x redress pathways 10 x no advice/ redress accessed 60 minute online interviews	

1.2 Key insights

Tenants' starting points

- **Participants' approaches to seeking advice and/or redress are shaped by existing perceptions and expectations – which we have referred to as 'starting points'.** These starting points often mean they don't believe that redress could be an option for them. They include: low awareness and low expectations of tenants' legal rights (particularly if renting privately for the first time); a feeling of 'power imbalance' between landlords and tenants; 'grey areas' around understanding of landlord/tenant responsibilities for resolving issues; and poor communication and delays from landlords and letting agencies.

Property issues and triggers for seeking support

- **Participants' journeys when seeking to resolve their housing problems are varied and often unpredictable.** Different factors, including level of awareness of tenant rights and support available, life circumstances, and individual personalities, can lead to very different journeys.
- **However, the specific issue experienced does often play a role in if, and how, participants seek support.** When faced with disrepair issues, most try to manage the problem themselves for as long as possible. However, many describe a 'trigger point' leading them to escalate the problem, such as a sudden worsening of the issue or a health impact of poor conditions on family members.
- **Eviction threats and unaffordable high rent increases can in themselves act as a 'trigger point'.** This leads some to seek out advice

and support for how to respond. However, for many this situation is too overwhelming, prompting them to leave their home.

Seeking formal advice

- **Most participants begin their journey with low awareness of formal advice agencies that could help.** They rely on friends, family and online searches in the first instance. These informal routes will often sign-post them to advice services (e.g. Citizens Advice Scotland).
- **When participants first reach out to advice agencies, resourcing issues can lead to frustration and delay accessing help.** These include struggling to book an appointment or experiencing issues when being signposted or referred on to other organisations.
- **However, many participants have positive experiences with advice agencies.** For some, they felt empowered to resolve their housing problem without the need to seek more formal redress. For others, they gained personalised information about the redress mechanisms available to them.

Seeking redress

- **When participants first start experiencing problems, few are aware of formal redress pathways and how they might be relevant to their situation.** As a result, advice agencies (and recommendations from peers and online searches) can be a key influence on whether they seek redress.
- **Participants are driven to pursue redress by a sense of urgency as they near a crisis point, and enabled by feeling supported throughout the process (by formal advice or a peer advocate).** When taking these big steps, tenants must overcome barriers including anxieties around escalating the situation, landlord retaliation, and an expectation that processes will be difficult, time-consuming and potentially expensive.

Experiences of specific redress pathways

- **Participants interested in pursuing the Tribunal process find the initial application complex and the process lengthy.** In some cases, this causes them not to start the process or drop out entirely from it. However, there are participants who have completed the Tribunal process, and are happy with the eventual outcome.
- **Local council enforcement teams are seen as easier to understand and access, but participants worry about retaliation from landlords.** They want reassurance about protections in place for tenants.
- **While there is low awareness of Rent Service Scotland, the journey is relatively simple and quick for those who engaged with it.** However, participants sometimes question how decisions are being made and want more transparency from this service, and the 21-day window to respond to a rent increase order can cause problems for tenants.

1.3 Next steps

In line with the research objectives, Consumer Scotland has used this evidence to help identify opportunities to improve the experience of PRS tenants in Scotland who are facing tenancy issues. On the basis of these findings, alongside other evidence, Consumer Scotland has recommended that the Scottish Government works with stakeholders to:

- Ensure that tenants and landlords have clarity on existing and new rights and obligations following passage of the Housing Bill
- Improve access to free and early advice to help tenants resolve issues they are facing
- Explore how the Scottish Government can provide free end-to-end support for tenants who require this to help them engage with formal redress processes
- Ensure that tenants are able to access redress pathways that are timely, transparent, and easy to navigate, whilst being reassured they are protected during the process

Consumer Scotland has also used this evidence to inform policy positions on primary and secondary housing legislation.

2. Background and methodology

2.1 Project background

Tenants in the Private Rented Sector (PRS) in Scotland are facing a range of issues relating to their tenancies, often around repairs and property conditions. However, few PRS tenants are seeking resolutions for tenancy issues, such as through the Tribunal, the Scottish Government body Rent Service Scotland, or local authority private sector housing and environmental health teams. In this report, private sector housing and environmental health teams are referred to as “local authority enforcement teams”.

Evidence has shown that tenants are put off raising issues out of fear of a detrimental response from their landlord, as well as low expectations of redress processes and outcomes².

Considering this, Consumer Scotland wanted to build its understanding of how well current redress mechanisms are working for PRS tenants in Scotland and explore what better looks like, through commissioning a programme of qualitative research. In this report, the term ‘redress’ is used as an overarching term to cover the range of redress mechanisms currently available to tenants to resolve disputes with their landlords.

2.2 Project objectives

The overall objectives of this research were to:

1. Explore the consumer journey in accessing redress as a PRS tenant in Scotland and how it could be improved.
2. Explore how well PRS tenants who have an issue with their landlord understand their rights, the role of advice, and the reasons they choose or choose not to access redress pathways.
3. Explore how well pathways to redress currently work for PRS tenants and how they could be improved.

² [SafeDeposits Scotland Charitable Trust, Living in the Private Rented Sector: The Voice of the Tenant Survey \(Wave 1\) \(2024\)](#)

2.3 Methodology

Using qualitative research methods, we took a 3 stage approach to explore both expert knowledge and lived experiences of private rented housing issues and means of seeking support and/ or redress.



As well as conducting research with PRS tenants, Consumer Scotland wanted to draw on the experience and knowledge of advisors in this area.

Stage 1: Project set-up

In this stage, the Thinks team worked closely with the Consumer Scotland team to understand the research objectives and existing knowledge within the organisation (including reviewing a scoping study).

This stage shaped the design of the project and helped to avoid replication.

Stage 2a: Expert interviews with stakeholders

As part of the scoping phase of the research, we conducted a series of six 30-minute online interviews with expert stakeholders. The interviews provided useful context for the issues that were to be explored in the following stages of the research.

- Expert stakeholders were defined as people with knowledge on the experiences of issues facing PRS tenants, and the experiences of seeking advice or pursuing redress pathways in the PRS.
- This sample included a mix of advisors and solicitors, from a range of organisations including Citizens Advice Scotland, Citizens Advice Bureaux, Living Rent, the Legal Services Agency, SafeDeposits Scotland Charitable Trust, and Indigo House Group.

Stage 2b: Advisor Focus Groups

As well as conducting research with PRS tenants, Consumer Scotland wanted to draw on the experience and knowledge of advisors working in this area. Following stage one, we conducted two 90-minute online focus groups with 8 advisors and solicitors who support tenants with housing issues and pathways to seeking advice and/ or redress. The insights gathered from these focus groups informed our sampling, recruitment and design methods for the Stage three tenants interviews. A third follow up focus group was conducted during Stage three tenants interviews, to test themes and draw out further insights into tenants experiences.

- Advisors included people working in advice agencies, as well as solicitors with knowledge or experience of cases where tenants have sought resolution. Discussions during focus groups included:
 - The most common issues and circumstances in which tenants seek advice for tenancy/ landlord issues, and the impacts such issues have on them
 - Triggers for journeys to seeking advice/ redress pathways, and the challenges and barriers during this process
 - Motivations for tenants pursuing redress pathways, and reasons for gaps in tenants pursuing this option
 - What's working well and what could be improved across advice and redress pathways
- Advisors and solicitors were recruited through online desk research and outreach to organisations, as well as referred contacts from Consumer Scotland.
- This sample included a mix of advisors and solicitors from a range of organisations including law centres, Advice Direct Scotland, the Legal Services Agency, Age Scotland, and Citizens Advice Bureaux.

Stage 3: Advice, redress and non advice/ redress journey interviews

The key stage of this research comprised of 1-1 interviews with private renting participants across urban, suburban and rural Scotland, exploring their experiences of housing issues and accessing advice or redress services, or not accessing any services. This was conducted between January and February 2025.

'Issues' experienced included urgent repairs, poor property conditions, deposit issues, excessive rent increases, and eviction. Further details can be found in the Sample breakdown (Section 2.4).

This stage followed the following process:

A 30-45 minute digital form / paper 'pre-task', to capture the housing issues experienced by participants and responses:

- This task allowed participants to map out what happened at each stage of their journey with housing issues, reflecting on what happened, the first steps they took (or not) to address the issues, any services accessed, and results.
- Participants completing this task ahead of their interviews helped to bring to light key issues and recollections of decisions made, to inform discussions and help them to recall their experiences ahead of time.

A 1-1 60 minute online interview with 'advice', 'redress pathway', and 'no advice/ redress pathway' participants, to explore objectives and experiences. Participants were recruited through our recruitment partners Taylor McKenzie Research, as well as an individual recruiter specialising in hard-to-reach audiences:

- 40 x 60-minute online interviews were conducted with participants across Scotland with a Thinks moderator (including one telephone interview)
- The **'advice' group** were defined as tenants who did seek out advice from official advice agencies, such as advice centres, but did not access redress pathways. Advice did not include exclusively searching online.
- The **'redress pathways' group** were defined as tenants who had pursued legal action through routes such as the Tribunal or local authority enforcement teams. It is important to note that there is crossover with those seeking advice. Those who pursued redress also pursued advice, either at the start or across these stages.
- For the 'advice' group and 'redress pathways' group, the following were excluded from the sample:
 - Under 18s and students
 - Non-private renters (homeowners, renting from council or housing association, living in a retirement home)
 - Those whose landlord resolved issue(s) experienced and were 'satisfied' with the outcome
- The **'no advice/ redress' group** were defined as tenants who experienced similar housing issues that would make them eligible for redress, but who did not seek out advice or access redress pathways and have dealt with issues independently by either repairing themselves, or have not done anything and are living with ongoing issues. Those in this group also did not raise any issues with their landlords. Further details can be found in the Sample overview (Section 2.4).
- For the 'no advice/ redress' group, the following were excluded from the sample:
 - Under 18s and students
 - Non-private renters (homeowners, renting from council or housing association, living in a retirement home)
 - Those who claimed the issue(s) experienced had 'no impact' on them (impact defined as financial, physical, mental, relationship with landlord, or relationship with other property occupants)

- Those whose landlord resolved issue(s) experienced and were 'satisfied' with the outcome
- Across all tenants, 26 rented directly through a landlord and 4 via letting agencies.
- The interviews explored key research objectives, including:
 - Journeys in accessing advice/ redress, and the challenges and barriers in this process
 - Understanding of rights as private renting tenants when experiencing a housing issue
 - Reasons for choosing/ not choosing to access redress pathways
 - How well pathways to redress currently work and how they could be improved.
- 1 tenant was recruited through advisors from the Stage 2 Focus Groups, where an outreach call provided by Thinks was circulated and tenants of interest securely screened by our recruitment partners.

Following the completion of the research, all participants were invited to share their feedback on the research findings, where they were shared an executive summary and asked to share their reflections, and any suggestions which have been incorporated into this report. A total of 23 participants (19 tenants and 4 advisors) shared their feedback. Full details of the post-task can be found in the appendix.

2.4 Sample overview

Tenants interviews

We conducted 40 online depth interviews with PRS participants who have experienced a range of housing issues. Participants were compensated for their participation in the research in line with

Category		Total participants (n=40)	Advice only (n=12)	Redress pathway (n=18)	No advice/ redress (n=10)
Age	18 - 30	7	1	4	2
	31 - 50	21	7	10	4
	51 - 69	11	4	4	3
	70+	1	-	--	1

A Fairer Private Rented Sector Market: Tenants Research

Gender	Female	22	5	10	7
	Male	17	6	8	3
	Other	1	1	-	-
Ethnicity	White	31	8	16	7
	Ethnic minority	9	4	2	3
Socio-economic group (SEG)	ABC1	17	5	9	3
	C2DE	23	7	9	7
Location	Urban	18	4	10	4
	Suburban	10	5	3	2
	Rural	12	3	5	4
Long term health condition	Yes	12	4	6	2
Carer	Yes	15	4	9	2
Property issues experienced (Note: more than one issue experienced by participants)	Poor property condition (e.g. mould, damp, disrepair)	13	4	9	2
	Needing urgent repairs to the property / critical elements (e.g. weather tightness, structural stability)	20	7	10	3
	Deposit issues (e.g. landlord wouldn't return full deposit)	13	3	7	3
	Eviction notices / threats	11	3	6	2
	Rent increases	20	5	8	7
	Other	2	-	2	-
Forms of support attempted to access (advice / redress) (Note: Most users	Advice agencies (e.g. Shelter, Citizens Advice, advice from local authority or solicitor)	28	12	16	-

A Fairer Private Rented Sector Market: Tenants Research

of redress systems also accessed advice agencies. Some participants accessed or tried to access more than one redress system)	Tribunal	6	-	6	-
	Rent Service Scotland	4	-	4	-
	Local Authority Enforcement Teams (private sector housing team and/or environmental health team)	6	-	6	-
	Other formal redress service (procedure via the Sheriff Court)	1	-	1	-
Forms of support attempted to access (non-advice/redress) (Note: More than one attempt accessed by participants)	No attempts	2	-	-	2
	Online research	2	-	-	2
	Paid for repairs	4	-	-	4
	Advice from family and friends	4	-	-	4

One participant was recruited through an advisor from the focus groups, where advisors put out a call out for tenants to be redirected to our recruitment partners for secure screening.

All participants were compensated for their participation in line with published Scottish Government guidance.³

Further details on sample can be found in the appendix.

2.4 Note on analysis

Pre-tasks completed by tenant participants were used to capture the housing issues they experienced in preparation for interviews. Pre-tasks were reviewed by the Thinks moderator conducting the interview to provide context for the discussion, and were referenced during the interview to explore key events and reflections. The pre-task also acted as a tool to support participant recall ahead of the interview, to prompt discussion of past events.

³ [Scottish Government, Research- Paying participant expenses and compensating for time: guidance \(2024\)](#)

Researchers took notes during interviews and advisor workshops, summarising key themes and noting down verbatim quotes. For completeness, all interviews and workshops were also audio recorded. Following fieldwork, data was inputted into a thematic 'grid' to allow for robust analysis of key themes, including similarities and differences between audiences. This analysis grid was revisited regularly throughout the research and subsequent reporting phase to ensure findings were reflective of participant views and experiences.

This manual analysis process was complemented by use of CoLoop, a specialist AI tool designed to support with analysis of qualitative research. All participants provided the appropriate consent for transferring a recording of their interview to CoLoop. For this research, CoLoop was used for the following purposes:

- Delivering automatic transcriptions of recorded interviews and workshops. These transcriptions were quality checked by a member of the Thinks research team.
- Support with the organisation of raw data into a qualitative analysis framework, e.g. providing an initial summary of key themes, linked back to source data to allow for quality assurance. This was used as a complementary tool to sense check key findings and themes, and was not used as a replacement for manual, researcher-led analysis.

Verbatim quotes have been used throughout this report to bring the research findings to life. We have also included case studies (see 'Spotlight' pages at the end of sub-sections), which reflect real participant experiences with some minor details changed to protect anonymity.

Verbatim quotes and case studies are attributed to participants based on their categorisation within the research sample:

- Those who accessed advice only
- Those who accessed redress mechanisms (some of whom also accessed advice)
- Those who experienced property issues, but did not seek advice or redress

As detailed in the findings, knowledge and awareness of tenant rights and redress mechanisms was low amongst participants. This acted as a barrier to engagement with advice and redress. This also meant that participants occasionally referred to redress mechanisms or facts about the private rental sector in Scotland that may not necessarily be accurate. Within this report, we have noted where inaccuracies exist in the verbatim quotes included, but have retained the original quotes as much as possible in order to accurately represent participants' perceptions and views.

3. Tenants' starting points

Summary

Participants' approaches to seeking advice and/or redress are shaped by a set of perceptions and expectations. These 'starting points' often act as barriers to even believing that redress could be an option for them. They include:

- Low awareness of their legal rights as tenants and low expectations for what these could be. This is particularly true of those renting privately for the first time.
- A sense of power imbalance between landlords (and letting agencies) and tenants. Participants expect landlords will have more resources and knowledge than them, giving them the upper hand in any dispute. This is felt particularly strongly by tenants in vulnerable circumstances, like those on a very low income or receiving benefits.
- A 'grey area' around understanding of landlord/tenant responsibilities for resolving issues, making it difficult for tenants to know how to raise or resolve a problem.

3.1 Low awareness of tenants' rights

Overall, participants have limited awareness of their legal rights as privately renting tenants, making them unsure what issues they can raise and expect a resolution on.

Participants renting privately for the first time have the lowest levels of awareness of their rights, making it hard to know how to respond to property issues. This is particularly true of young participants who've previously lived with their family/partners and older participants who have previously rented through council housing or owned their own home.

While some participants feel more comfortable contacting their landlord/letting agencies for 'smaller' issues, when it comes to bigger issues such as significant disrepair or rent increases, many don't know what they can ask for and what they can expect from their landlord.

"I wouldn't say I [know much] about what rights I have as a tenant. I've always just assumed, at the end of the day, it's [the landlords] house, and I'm renting off them."

- Rent increase, No advice or redress

"There are huge problems for tenants in understanding what's a remarkably complex set of legal rules. The law of landlord and tenant is hideously complicated."

- Advisor

Most participants have low expectations that landlords will take complaints seriously or face consequences if they don't.

Overall, participants hold a perception that 'bad' experiences for tenants are commonplace and that this is part of the reality of renting in the private sector. This comes from word-of-mouth experiences of other renters, and is reinforced by stories and coverage in the news/media. For example, many have seen reports of issues such as mould and damp being ignored, with no or delayed consequences for landlords.

"[I think] no one's going to fight your case, honestly... I've no faith in our system at all to do with housing. None."

- Eviction notice, Advice only

A lack of clarity about whether protections for private renters introduced during the Covid-19 pandemic still apply creates further confusion about landlord obligations.

Changes within the renting landscape were made during Covid-19. For example, the Scottish Government implemented measures such as hardship funds and loans to assist renters financially⁴, and temporary changes to eviction laws were enacted to safeguard tenants' interests. While these changes were vital to participants at the time, there is very little awareness of which measures, if any, still apply. This creates further confusion about what should and should not be expected of landlords.

"I'm pretty sure I heard something on the radio last week that said that rent increases are now unfrozen. They had been frozen or something during COVID but now they're not. And that just opens floodgates for lots of landlords to surely issue people with new tenancy agreements with extortionate rents."

- Eviction notice, Local authority enforcement team

"You think about, you know, what if they [the landlord] don't give or keep some of the deposit? Can they do that?"

- Poor property condition,
Local authority
enforcement team

⁴ Source: 'Coronavirus (COVID-19) Tenant Grant Fund: Guidance for local authorities, 2021. <https://www.gov.scot/publications/coronavirus-covid-19-tenant-grant-fund-guidance-for-local-authorities/>

Case study: Aisha's* confusion about her rights

Aisha* lived with her partner and children in a home rented from a landlord whom she had a good relationship with. She has also been on her local council's waiting list for a property for the last few years. After separating from her partner she decided to flag this with her landlord for good measure, but received a steep rent increase which she was unable to afford.

Not aware of her rights, as she had never experienced this kind of issue before, Aisha struggled to understand what initial steps to take. She was extremely confused about whether this kind of behaviour was allowed and what, if anything, she could do about it. Aisha did some online research and reached out to Citizens Advice, during which her landlord took the case to Tribunal. After being advised to wait it out, Aisha lived out of suitcases and boxes ready to leave her property whenever, and spoke to friends and family for a place to stay if needed.

She eventually moved onto the priority list of the council house, was offered a flat, and left the property.

"I contacted [my landlord] thinking I was doing the right thing... he [landlord] told me he wanted £1000 pounds, double the rent. There is absolutely no feasible way that I can pay [that] even with help from universal credit... I wasn't sure what to do."

*Note names have been changed to protect participant anonymity.

3.2 Power dynamics within the landlord-tenant relationship

Participants feel that tenants hold less power in the relationship with landlords, which stops many from reporting issues.

In a context of high rates of homelessness and rising market rent prices, many participants feel their choice of housing is limited and want to ensure they are able to remain in their properties. Participants often say they feel 'lucky' to have the home they do, regardless of issues experienced, and therefore do not want to jeopardise this by raising a complaint.

"I think there's a lot of fear attached to things like [renting and raising issues]... if people knew that these things [aren't] going to go on your record that you challenged a rent increase or it's not going to go against you that you took your landlord to Tribunal... I think people are genuinely scared about that."

- Disrepair, deposit issues, rent increase and eviction, Rent Service Scotland

Participants express worry about retaliation from landlords, with fears that speaking out about issues experienced may create further problems. As highlighted in a scoping study undertaken by Consumer Scotland⁵, tenants worry about 'revenge evictions' as a consequence of them raising issues⁶. Participants in this research also express concerns of retaliation beyond this, like parts or all of deposits being withheld or rents being increased as a result of complaints made.

This fear of jeopardising their relationship with their landlord, and by extension their living situation, prevents many from reporting issues. This worry is especially pronounced for tenants in vulnerable circumstances, such as those on low income or receiving benefits, individuals with long term health conditions, and single-person households or families with children. These audiences feel there are fewer options available to them and less flexibility to move, making maintaining a positive relationship with their landlord all the more important.

"I think people are really scared to tarnish or jeopardise their situation, because it's your home. Moving house isn't quite always so easy... so I think people are quite scared to go down the formal route."

- Urgent repairs, Advice only

Personal – rather than professional – relationship dynamics with landlords often influence participants' approach and their expectations for how property issues should be handled.

For participants who have familiarity with their landlords, for example their landlord being a close friend or someone whom they have rented with for a long time, there is hesitancy to raise issues in fear of 'rocking the boat' and impacting

⁵ [Consumer Scotland, A Fairer Rental Market: Consumer challenges in the private and social rented sectors \(2024\)](#)

⁶ [Indigo House Group in association with IBP Strategy and Research, Rent Better: Wave 3 Final Report \(2024\)](#)

these relationships. This is also true for participants who live in close proximity to their landlord, for example the same building or in an area close to the property.

When participants feel that an issue does need to be resolved, they assume this can and should be done on a person-to-person level with their landlord. They expect to have a dialogue, for example raising this in informal conversations or text messaging. Rather than a legal or professional duty, participants often expect landlords to respond to such conversations through a moral lens of 'duty of care' – fulfilling an obligation to 'take care' of the tenants they are responsible for. This isn't just about practical obligations, with participants expecting landlords to treat them informally but kindly, as they would a personal acquaintance or friend.

This attitude is most common amongst participants who are first time renters, as well as those renting directly with a landlord (particularly so if the landlord is a known friend or close contact). In cases where landlords have taken a more formal, combative or 'businesslike' tone, some participants express shock and surprise.

"I think you put your faith in them because it's somebody that knows somebody [landlord as family friend]. If that was me I would be supporting the person who lives in that property. It just felt it was the money they were interested [in] and not me, or anything that was happening."

– Rent increases, deposit issues, No advice or redress

"As I've never had to make a complaint about anything in regards to the property [before]... [you think], are they going to just see me as a problem tenant? There's a lot of uncertainty around [it]."

*- Disrepair, rent increases,
deposit issues, Rent
Service Scotland*

The landlord relationship is less personal for the (few) participants renting through letting agencies, who often have to go through several people in order to reach the landlord for issues. This impersonal relationship raises complications when tenants need to chase issues raised, as both letting agent and landlord can delay responding.

"I just thought there'd be more support from the agents. An agent is the middleman and they should be able to support their tenants."

– Advice only

"[I] tried phoning them and making the next effort to drive and go into [the office] to speak to them, and they were really no help whatsoever. They were just passing the buck all the time."

- Urgent repairs, Advice only

Case study: Sasha's* worries about her landlord relationship

Sasha* experienced issues with her shower not working properly, which led to significant stress and hesitation about raising the problem with her landlord. She initially tried to fix it herself but eventually contacted her landlord after realising she couldn't.

Sasha felt uncomfortable raising the issue because she feared her landlord might blame her for the problem, especially since he mentioned that the shower had worked fine for previous tenants.

This fear made her anxious about potential repercussions, such as withheld repairs or being charged for damages.

Sasha eventually did contact her landlord, but receiving a response from him was very difficult. When she did get through to him, he provided excuses for the delays such as being too busy. Sasha had to visit her parents' home just to shower.

Eventually, after several weeks of persistence, the shower was fixed by the landlord.

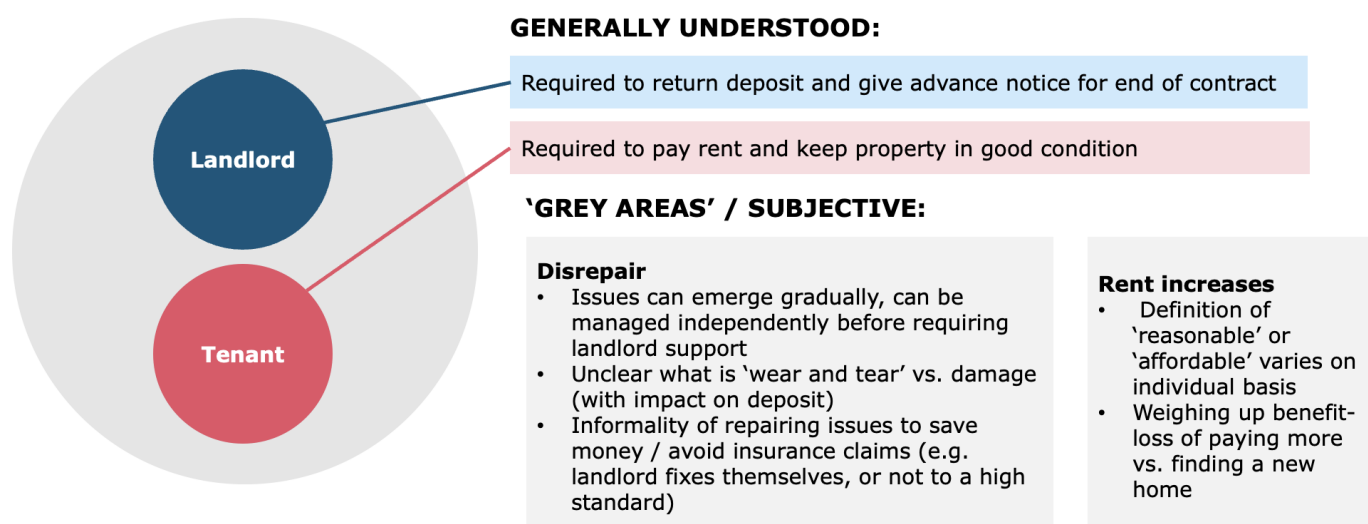
*Note names have been changed to protect participant anonymity.

"I was very hesitant to [flag the issue], I didn't want to keep messaging them, or contacting them, saying 'hey, have you got someone to come out?' or 'have you arranged something yet?'... I felt like he would disagree with me... I was worried about that."

3.3 Ambiguity and 'grey areas' within private rental arrangements

When it comes to landlord / tenant responsibilities, some of the basic requirements are clear to participants, but outside of this there are some significant grey areas.

Figure 1. 'Grey areas' in understanding of landlord / tenant responsibilities



Participants understand that most rental agreements require landlords to return the agreed amount from a deposit and give reasonable notice before ending a contract. Tenants say they are expected to pay rent on time and keep their properties in good condition.

However, outside of this many grey areas exist where it is difficult to know what is and is not reasonable to expect from a landlord. This is most evident in relation to two key areas – disrepair and rent increases.

The 'gradual' nature of certain disrepair issues means participants can self-treat and 'handle' without landlord intervention at the start. For example, wiping condensation off poorly insulated windows or bleaching mould spots on ceilings. As a result, it can be difficult to know when to bring in a landlord to address a problem properly.

There is also a lack of clarity in what is considered natural 'wear and tear' of a property versus damage which could have been caused by tenants. Examples of this include reduced showerhead pressure or bed bugs where there is subjectivity in the cause of these problems. Participants also referenced damp and mould, where the source of the problem is not always clear-cut (i.e. due to tenant behaviour or due to structural problems or disrepair in the property). This makes it difficult to know if a landlord should and will help to resolve a problem.

"[There's] frustration...because I pay rent, you know, and I expect that a property [is] to be maintained. Obviously external things like [damp] are not my issue to look after."

- Disrepair, advice only

There is also a grey area around what action can be taken if a landlord attempts to fix a problem but does an incomplete or unsuccessful job. Participants mention informal ways in which landlords can repair issues, including landlords visiting properties and attempting to repair issues themselves without hiring professionals, or getting a 'friend' to address an issue. This is perceived as them trying to save money or avoid insurance claims. However, participants can be wary of continuing to complain after a bad repair job, not feeling confident that this will lead to a successful fix.

"I noticed that [the landlord] will use family members who come and fix things... And... I just said, I'm just going to keep quiet. I was too unwell to be arguing with anybody."

- No advice or redress

When it comes to rent increases, participants understand that definitions of 'affordable' can vary. Some participants in particular such as those who are on low incomes, receiving benefits or carers would struggle to meet any increased costs. As such it can be difficult to know when it is appropriate and reasonable to complain about a rent increase.

Case study: Justin's experience with informal repairs

Justin* lives in a flat with his partner and their cat. After taking a bath, he noticed the pipes were leaking. His neighbour soon complained about water coming through their ceiling, prompting Justin to report the issue to his landlord.

The landlord sent someone to fix it multiple times, but the problem persisted, leaving Justin frustrated with the poor quality of the repairs. He later discovered that the person handling the repairs was actually the landlord's father.

The issue continued until he insisted on a professional repair, which the landlord eventually agreed to.

*Note names have been changed for participant anonymity.

"I phoned the landlord again and I said, look, that just simply isn't good enough now... No offence to your dad, he's a nice guy. But it needs to be a professional that knows what they're doing [resolving issues]."

Confusion is exacerbated by the fact many participants do not understand their rental contracts, so don't think to return to them when experiencing issues.

The use of complicated language in documents tenants are being asked to sign does little to clarify who is responsible for what, leading to many tenants signing them and hoping for the best. This is especially true of first-time private renters who are often less familiar with reading these types of documents and more likely to assume their landlord will be honourable, fulfilling a perceived 'duty of care' for their tenants.

When the formulation of contracts is perceived to be complex, this can make them less accessible to tenants. This means that many don't think to, or find it difficult to, go back to these documents when they experience problems.

"I think because it was my first time [renting], I was just quite excited. But I think no matter what, the landlord's still got a duty of care to their tenants. Even in their attitude... if you're phoning up for help, no matter how many times you phone, at the end of the day, they're still responsible."

– Disrepair, No advice or redress

"There is 57 pages to a contract that is full of jargon, and the average person is not going to know what half of that means. I am, you know, fairly educated, but that doesn't mean I'm educated in tenancy agreements or leases, or [that] I know what half of it means."

– Rent increase, Rent Service Scotland

Most of those renting directly with their landlord assume that letting agencies will offer additional support. However, the (few) participants renting via agencies report experiences of poor communication and responsiveness.

Participants renting through agencies often consider their landlords 'anonymous', as they don't know who owns their property and never hear from them. Having a letting agency as an intermediary often slows down the process of resolution, with participants saying agents claim extensive delays are due to landlord unresponsiveness.

"I live in a private rental through an agency and have been here for about 13 or 14 years. I don't know who my landlord is... Generally, I don't have serious concerns, but the lack of response from the agency can be horrendous at times."

– No advice or redress

Long waiting times to get a response means participants are often left to deal with housing issues, for example mould or leaks, for a long time. Some participants resort to finding ways to resolve issues themselves during this waiting periods.

"I just thought it would be a case of, right, there's an issue with my property, I contact my letting agent, [the] letting agent would contact the landlord, somebody would come out, have a look at it and it would be fixed. And how wrong was I? I was really quite shocked... probably [to] do with my expectations. I can't say that all landlords are like that. But the absolute frustration. I mean, even the letting agents come back [slowly]. I mean, the communication with them is really bad as well."

– Repairs issues, Advice only

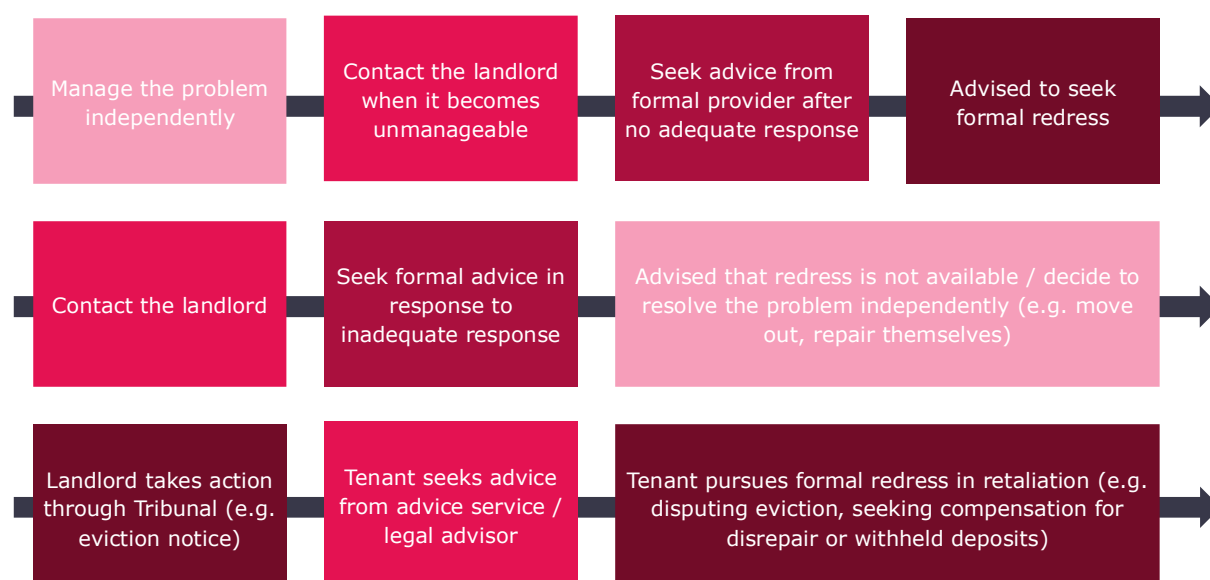
4. Overview of tenant journeys

Summary

Tenants' journeys when seeking to resolve their housing problems are highly varied and can be unpredictable. A range of factors, including varying levels of awareness of key information (e.g. rights, relevance of advice and redress systems), life circumstances, individual personalities and the experiences that they have with advice and support services, can lead to unpredictable and non-linear journeys.

A range of factors can impact participant journeys when seeking to resolve housing issues. This means journeys don't always follow a linear path, can vary widely and are often unpredictable.

Figure 2. Example advice and/or redress journeys based on advisor and participant experiences



A steady escalation from managing a problem independently, to unsuccessfully contacting a landlord, to seeking formal advice, to seeking formal redress may be the closest to a 'typical' journey for tenants.

However, a range of factors can lead to unpredictable or non-linear experiences for some tenants. These include:

- **Awareness of rights, advice or redress services:** Where tenants are unaware that they may have rights in a situation – or that formal advice and redress systems exist and may be relevant to their situation – they are unlikely to pursue these approaches. Instead they attempt to seek a more informal resolution. In contrast, tenants with greater awareness are

more likely to drive forward the process, making formal requests for action from their landlord or seeking formal redress (but may still face barriers along the way).

"I never really knew anything because this is my first time as a tenant. I'm not really up to date with that, what rights I have, what rights I don't have."

- *Repair issues, No advice or redress*

"Even when it comes to standard PRS agreements it's not very obvious to a tenant what sort of procedure they should take to make a complaint, how to then make a formal complaint."

- *Advisor*

- **Individual circumstances:** Competing pressures for time, attention and effort may mean that tenants are overwhelmed by the prospect of engaging with support. For example, participants managing long-term health conditions may have additional barriers to finding the time and 'brain space' to seek help or pursue a formal resolution to their problems.

"I knew that my husband's surgery was coming up, so I just didn't have the energy to fight any more than I needed."

- *Deposit issues, Tribunal (initiated by landlord)*

- **Individuals' personalities:** Participants' personalities also play a role in how likely they are to push hard when looking for a resolution, or how likely they are to feel comfortable seeking informal support. Participants often state that they are 'not the kind of person' to take actions that could be perceived as confrontational, while a minority are more comfortable asserting their demands or feel obliged to stand up out of principle.

"I was very hesitant to [address the issue]... like, I didn't want to keep messaging [my landlord]. But I was getting pushed from other family members... my mum was [pushing] me on one side. So that was giving me the push to be like, right, no, you need to try and get this fixed."

- *Rent increases, No advice or redress*

"I'm up for a fight. You don't want it to be your life, but I'm stuck on the principle. I shouldn't have to feel like I can't air these points."

– Disrepair, rent increase and eviction notice, Rent Service Scotland and Sheriff Court⁷

- **Experiences with advice and support services:** Participants who do engage with formal support services may find that this supports them to resolve the situation and/or escalate it to seek formal redress. However, others find themselves at a dead end, or feel that they're 'going in circles' being referred between advice agencies and abandoning the process.

"You hear people talking about, I've been to Citizen's Advice and they help me, you know, and I just assumed that would be the same for myself [for my housing issue], that there would be some sort of help there."

– Repair issues, Advice only

⁷ Sheriff Court refers to simple procedure claim

Spotlight: Amanda's* journey to the Tribunal

Eviction and deposit issues, Tribunal

"I had to put my life on hold, I couldn't get a job when I was at risk of homelessness so I ended up in debt... [the Tribunal ruling] put me back to where I was, I can't praise [the law centre] enough."

Amanda lived in the same flat for almost ten years, with few problems. While she suspected her deposit wasn't protected, her rent remained relatively low with few significant increases over this time.

Over this time, Amanda did all that she could to be a 'low maintenance' tenant in order to not encourage the landlord to increase the rent. She prided herself on taking good care of the flat and paying for smaller repairs and repainting out of her own pocket, without informing the landlord.

When the oven and a radiator broke in quick succession, Amanda felt forced to get in touch with her landlord, who arranged the repairs quickly, but in doing so commented on how much local house prices and rents had risen.

Shortly after, a surveyor visited the flat, but Amanda was reassured that this was only to remortgage it. Just a few months after this, Amanda received an eviction notice, claiming that the landlord needed the flat back after a relationship breakdown.

Amanda immediately phoned an advice agency, but says that the advice she received was 'quite general' and not always specific to Scottish tenancy law. She then tried to speak to another advice agency, where she struggled to get an appointment and eventually gave up on fighting the eviction. On an agency's advice, Amanda applied as homeless to her council.

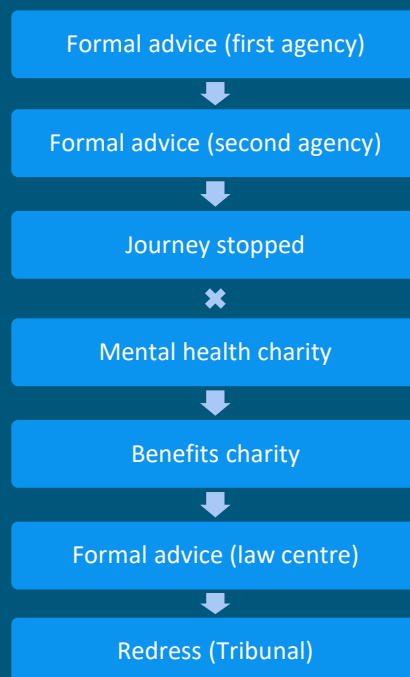
Amanda had a costly and difficult moving out process which left her indebted, affected her career and had a significant toll on her mental health, but eventually moved to a housing association property. It was confirmed that her deposit was not protected, and this was withheld by the landlord.

Amanda's journey towards seeking redress only resumed when a local mental health charity signposted her to a local benefits casework charity, who then referred her to a local law centre.

This law centre advised Amanda to take her former landlord to a Tribunal for the unprotected deposit. During this time, it also emerged that the eviction notice was not legal and the claim of a relationship breakdown was false.

After a long one and a half year wait, Amanda won her Tribunal case, helping to go some of the way to paying off the debt accrued at the time and giving her the reassurance that she was 'in the right' throughout a very difficult time in her life.

Stages of Amanda's journey



Spotlight: Kim's* journey with urgent disrepair

Disrepair, no advice or redress

"I don't know what I could do. I think it's just the landlord, isn't it? If you had a council house it would be different."

Kim is a first-time private renter who has been experiencing leaks in her kitchen for five months, causing water damage and making all electrical sockets in her kitchen unsafe to use.

On the advice of family, she immediately got in touch with her landlord to ask that they carry out works to stop the recurring leaks, deal with the water damage and fix the kitchen sockets so they are safe to use again.

Her landlord immediately reassured Kim that he would be sending somebody around to fix this, but after several weeks nobody came. When Kim phoned up again, once again the landlord reassured her that somebody would visit, and once again nobody did. In the months since, Kim keeps checking up, and the landlord keeps saying that someone will come.

Kim is getting increasingly frustrated and worries about the potential fire risk from the damaged electrical sockets. Her landlord's responses increasingly give her no confidence that the issue will be resolved any time soon.

However, Kim is very reluctant to escalate in any way. She says that she wants to give the landlord a fair chance, as they may have a lot of other properties to look after. Kim puts her response down to her character as a person – she says she is someone who 'doesn't like to say anything bad' about people.

Kim would also be conscious to do anything that could cause harm to her relationship with her landlord, which could create problems in the long-run.

Kim knows that she needs a resolution, but has no idea what her next steps should be. She is not aware of what formal advice would be out there, has not heard of any redress pathways, and when told about them would be cautious to escalate to that point in case of any harm done to her relationship with her landlord.

In the meantime, Kim plans to continue to try to come to a personal agreement with her landlord which she sees as the only suitable option to resolve the property issues without harming her relationship with her landlord.

Stages of Kim's journey

Advice from friends and family



Complaint to landlord



Promise of works but not action



Repeated contact with landlord, still no action



Unsure of next steps

*Names have been changed to protect participant anonymity.

5. Property issues and triggers for seeking support

Summary

The specific issue a participant experiences often plays a role in if and how they seek support. When participants face disrepair and poor conditions, participants will usually self-manage the problem for as long as possible. However, most describe a 'trigger' point, such as a sudden worsening of the problem or a health impact in the family which leads to them escalating efforts for a formal resolution. For eviction threats and unaffordably high rent increases, these actions in themselves act as a 'trigger point', leading some to seek out advice and support for how to respond. However, for many this situation is too overwhelming, leading them to leave their home. Where serious deposit issues (e.g. a landlord withholding unprotected deposits) occur, participants may feel less worried to seek advice or redress, as they have by that point moved out of the home. This changed dynamic between landlord and tenant eliminates fears of rent increases and eviction notices, which participants have indicated often play a role in their reluctance to seek redress.

Participants experience a wide range of issues in their privately rented homes, which play a significant role in shaping their journey to seeking resolution.

As outlined above, as part of this research we have spoken to tenants who have experienced a wide range of issues in their property. These include:

- Property disrepair and poor condition (e.g. damp, mould)
- Eviction notices
- Rent increases
- Deposit issues

While there are some similarities in the forms of advice and redress that are relevant and appropriate to each, the exact nature of the issue experienced very much shapes participants' mindset and their perceptions of the options available from the start.

5.1. Property disrepair and poor condition

When faced with poor property condition, participants usually self-manage for as long as possible.

Issues with damp, mould and non-urgent disrepair are particularly likely to fall into a 'grey area' where participants are often unsure of the line between the tenant and landlord's responsibility. This lack of clarity can lead participants to

try to manage the issue themselves in the first instance, presuming that the landlord will likely ask them to do so anyway.

"I noticed there was this dusty mould coming over some of my bedroom furniture, and in a week or so it spread all across the room. I had different mould products to try and remove it, and it still kept coming back."

- Poor property condition, Tribunal

"There was this dampness, a leak from the bathroom, that we asked [the landlord] to come and look at several times, and they kept telling us it was [treated]. But it caused a split in the ceiling and carpets were stinking. We had to tear them up and pay to replace them ourselves – the landlord's response was if we wanted to tear them up, we'd have to replace them."

- Disrepair, No advice or redress

Some participants also describe trying to self-manage poor conditions, to avoid as much as possible being a burden to their landlord. As mentioned above, many don't want to disturb a positive relationship with their landlord or be seen as a troublesome tenant for fear of retaliation. Others worry that the landlord will try to 'recoup' the costs of repairs through a permanent increase in rent, something most cannot afford.

Tenants may attempt to self-manage property conditions through steps such as:

- Measures to reduce damp and mould (including cleaning mould from surfaces, keeping windows open in winter, buying and using dehumidifiers, turning on central heating more)
- Repairing or replacing appliances
- Repainting the property
- Fixing holes in walls and ceilings

Some participants who are more experienced with the private rented sector, or more knowledgeable about their rights do involve their landlord at an early stage. However, even these participants often report being advised to take self-management steps in the first instance (e.g. air circulation and central heating for mould issues), or to have lower-value repairs or items like dehumidifiers provided at the landlord's expense.

"[The landlord] came in and she wiped it and she was like, oh you need to get air conditioning [to deal with mould]...she was like, well it's down to yourself to get it because we've never had that problem before when we let it out to previous tenants."

- Repair issues, Advice only

"[The agency] very much downplayed the size of the issue.... Just make sure you're opening some windows and just use a mould product to clean it. And then they sent me this ridiculous infographic that's like here's how to clean mould. It was the most patronising and nonsensical thing I've ever seen."

- Repair issues, Tribunal

In many cases self-management strategies don't resolve the problem and can lead to other significant inconveniences.

The financial impacts of implementing self-management strategies are often significant, especially for participants on low incomes. However, for the most part they are begrudgingly accepted, often as the cost for avoiding potential rent increases in the future.

These strategies can also be unpleasant and inconvenient, such as having to keep windows open in the winter or layering up clothing in order to keep warm.

"In Scotland it gets really cold in winter. And I was like, I'm not going to leave my windows open in October, November, December, when it's 1 or 2 degrees... so I [kept wiping the condensation off windows], and eventually bought a dehumidifier."

- Repair issues, Advice only

Participants describe a trigger which leads issues with disrepair and poor property condition to reach a tipping point, driving them to escalate the issue.

Both participants and advisors say it is often the culmination of a longer running problem or the sudden emergence of a very urgent one that causes tenants to seek support or formal redress.

"It's sort of a psychological journey... the straw that breaks the camel's back is sheer terror."

- Advisor

In terms of the variety of disputes, it could be when family members are starting to get ill. Perhaps suddenly circumstances have changed. It's never early doors, it's always that dramatic moment when things are starting to go a bit pear shaped and they're not aware of their rights."

- Advisor

Participant experiences point to a range of triggers, including:

- **An urgent issue that comes on suddenly:** Where major problems come on suddenly (e.g. significant structural issues or a broken boiler), participants are more likely to immediately contact their landlord and, if the response is not timely or adequate, they are likely to search for alternatives (ranging from informal advice, to formal advice and potentially redress).
- **Impacts on the health of residents:** Participants may be self-managing or patiently waiting for resolution, but when impacts on their health or that of their household (e.g. children developing a persistent cough from mould) emerge, this can add urgency which may lead them to formal advice or seeking redress.
- **Persistent lack of contact or action from landlord:** When a problem is not extremely urgent, participants tend to give a grace period to landlords or agents who may be slow to respond, or state that they will take action but not follow through on this. After a sustained period of inaction, tenants may be motivated to look for ways to push for resolution.
- **Complete refusal to intervene from landlord:** While participants may give grace periods to landlords who are slow to respond or intervene, a direct refusal to intervene may lead tenants to feel that they have no choice other than to seek alternative resolution.

"[On eviction notice] It's really dangerous. It's very bad for children actually and it can cause long term issues, you know, so it was absolutely terrifying and it triggers mental health episodes"

- Eviction notice, Advice only

"It wasn't until the situation became more chronic, with ongoing pest issues and no response from the letting agents, that I felt compelled to get advice."

– Repair issues, Advice only

Even in the face of serious and persistent disrepair issues, not all participants end up seeking formal advice or redress.

Faced with a severe disrepair problem or long-term inaction from their landlord or letting agent, the eventual point of escalation does not always happen for tenants.

Participants in our sample who did not seek formal advice or redress appear to be disproportionately affected by some of the wider barriers to escalation. For example, limited knowledge of rights, advice and redress systems; ambiguity about landlord / tenant responsibility; and keenness to avoid potential confrontation and the possibility of retaliation.

"There's not a reason [I didn't look for advice], I just assumed that we had to keep having to be at the estate agent until it gets done."

- Repair issues, No advice or redress

Case study: Luke's* challenges with damp and mould

After a leak from the flat above, Luke's flat started developing very serious mould which he tried to manage by keeping windows open and dehumidifiers and heaters running.

This was unsuccessful, and the development of the mould led to his bedroom becoming uninhabitable and Luke sleeping on the sofa for months.

When Luke contacted his letting agent, they responded by sending him an infographic of how to clean mould and suggesting that he opened the windows more often.

After a recommendation from a friend, he contacted the council's enforcement team who sent an officer, who he feels 'vindicated' him by agreeing that the agent was in the wrong. But the officer didn't appear to issue an improvement notice, and no repair was made.

After a difficult process Luke lost hope and moved out. He was promised compensation from the agent, which was never paid and after advice from a local advice agency is looking into opening Tribunal proceedings.

*Note names have been changed to protect participant anonymity.

5.2 Eviction notices and threats

Faced with the prospect of losing their home, tenants find that eviction threats or notices are likely to immediately trigger 'crisis mode'.

When a landlord or agent delivers an eviction threat participants describe a state of panic. This is because they are faced with the prospect of losing their home, with limited availability of affordable private or social sector housing as an alternative.

Whether this is served as a formal eviction notice, or delivered informally (e.g. in a conversation or phone call informing the tenant that they will 'need the home back' or wish to sell it), the emotions and resulting steps for the tenants are largely similar.

In many cases, the impact of eviction is so significant that participants say they sought advice, either formally or informally immediately. This in turn will lead them to the pathway of redress either by pushing to remain in place through a Tribunal hearing, or raising counter claims about other issues in the property (such as disrepair or deposit issues). This includes after they have moved out of the property.

For many participants, even those who have sought formal advice and support, it ultimately is seen as not worth fighting to remain in place by starting formal redress processes. This is due to a range of interconnected barriers, such as:

- **Limited awareness of processes and rights relating to evictions, specifically:** There is often an assumption that the landlord will have rights to remove a tenant from the property, but little awareness of what rights tenants have in this situation. For example, without support they may not know that a formal eviction notice is required, that the notice that they've received does not comply with requirements, or what they may be able to do to dispute this.
- **High personal stakes:** Participants envision that if they push back against eviction they may be at risk of homelessness, and feel that the stakes of losing an eviction dispute are far too high. They may prefer to get the ball rolling looking for a new property as soon as possible, rather than facing the risk of having very little time to do so later.
- **Fears of consequences for future renting:** Participants may fear that if they 'rock the boat', it may have an impact on their future ability to rent. This is particularly the case for tenants who are served formal eviction notices, who fear being legally 'marked' from any dispute, while others worry about getting a poor reference.
- **Assumption that the process will be complicated, burdensome and potentially expensive:** When served a formal eviction notice, the mention of a legal 'Tribunal' may sound scary, complicated and difficult to tenants. There may also be an assumption that as a legal process, this may require costly legal support.

- **Sense of futility, even if they win:** There is a sense that even if they were to buy time, the harm done to their relationship with the landlord or agent would make remaining long-term untenable, or uncomfortable.

"I went into fight or flight mode... when you've got children, you know, it's scary."

- Disrepair, deposit issues and eviction notice, Advice only

"Since the grounds became discretionary we've always said stay in your tenancy and fight it out. It's still your home and you have rights.... I do still feel that 90% of evictions happen before the Tribunal because people move out because they're stressed and don't know that they can stay. In legal terms no fault evictions have gone, but by the backdoor they've stayed."

- Advisor

Case study: Em's* dilemma after threats of eviction

Em is a single mum of teenage children. After almost ten years in the same property, she was served a no fault eviction notice.

Em feels that her family are 'great tenants', so was surprised, and after speaking to family and friends came to the conclusion that the landlord did this so it would be easier to significantly increase the rent.

Em went to her council for advice, who she said were "utterly useless". They said she could go into temporary accommodation or fight at the Tribunal – the latter of which was not worth considering due to the emotional impact.

Em also reached out to some advice centres, particularly for advice about the social housing waiting list, but was in a rush so ended up renting another flat privately, with an almost 60% increase in rent making a major difference to her and her family's lifestyle.

"You see, when you have a landlord that wants you out the flat, it's the stress. You don't want to go through the Tribunal process because you know you're not wanted there."

*Note names have been changed to protect participant anonymity.

5.3 Rent increases

Participants faced with rent increases⁸ are rarely aware that it is possible to dispute these, or of how high an increase is deemed reasonable.

Against a backdrop of rapidly rising housing costs across Scotland, particularly in some local areas, participants see large rent hikes as unfair and unjust – but unsurprising. However, there is low awareness of the possibility of disputing these increases, and of the 12% per year cap that was in place while the interviews were conducted, with most tending to see setting rents as solely the landlord's personal prerogative.

As such, participants do not have a clear sense of what is a 'reasonable' rent increase. If they feel they are able to afford the new rent, they are likely to begrudgingly accept increases, even if these have a significant impact on their household finances and standard of living.

"It went up by £100 [per month], which had me really watching my expenditure on my weekly shopping and how much of electricity and stuff I'm using. If I'd be going out, just socialising, I'd say is it worth it? I'll stay in and you can forget takeaway on a Saturday night."

– Rent increase, No advice or redress

"That money [the rent increase] would have taken my two kids to football."

– Rent increase, No advice or redress

However, even if they have accepted rent increases, participants still feel a strong sense of injustice. A general feeling that this is 'wrong' or unfair might trigger some to seek advice or redress. This is particularly true for those who feel that they have upheld their part of the bargain by being a 'good' or 'low maintenance' tenant (taking good care of the property, paying rent consistently and making few complaints).

⁸ Participants experiencing rent increases were recruited on the basis of either having accessed formal advice and/or redress in response to this, or experiencing a significant effect on their ability to pay for essentials as a result of their rent increase.

"I thought it was a little kind of unwritten mutual agreement that I don't pester you too much for the year, and my rent doesn't go up... like with insurance, if you claim, your premium goes up."

– Rent increase, No advice or redress

If they are not able to pay the new rent, tenants often seek to move, with many perceiving the rent increase as an 'indirect' eviction notice (i.e. intended by the landlord to 'push' them out of the property so they can sell it, or find a new tenant). With high prices in the private rental sector and long waiting lists in the social housing sector, this is likely to be a highly stressful scenario as tenants are left with few alternative options.

"I went into fight or flight mode. When you're doing it for your children and as a mother, you do whatever you can... I mean all of this stuff comes down to the housing shortage.... If there was plenty of rents available, it would have been easy-peasy. I started to look online to bid for places but you couldn't even get viewings nowadays, they just fill up. I was in a complete state of extreme stress, and I mean extreme."

– Rent increase, No advice or redress

Case study: Victoria's* decision to move out after a rent hike

Victoria is a mother of two, who has been struggling financially after her husband lost his job.

Two years ago her agency informed her that their rent would be increasing by £25 a month, which led to Victoria cutting back on family activities.

A year later, she was given notice of another £50 increase. Victoria had no idea how she would afford this, so got in touch with her landlord directly. This was successful, and the landlord confirmed that they would keep the rent at the current rate. Victoria was shocked when a few months later she received a letter from a new lettings agency informing her that the rent would be increasing by £125 instead.

After getting advice from family, instead of disputing, she decided to move to a smaller property in a different town.

"I didn't want any bad blood or ill feelings, so I just planned for my last day."

*Note names have been changed to protect participant anonymity.

5.4. Deposit issues

Participants often expect landlords to try to take some money from deposits, but are shocked and frustrated when larger claims are made.

There is a common assumption that landlords or agents will routinely try to 'push their luck' and withhold at least some money from deposits at the end of a tenancy. As such, tenants often emphasise that taking pictures as evidence when moving in is sensible. Some forget to do so, lose these pictures, or decide not to because the landlord or agent appears to be trustworthy.

"I'm not an idiot. I took pictures of every single bit of the flat before we moved in and moved out. Like every single room, and I cleaned it to within an inch of its life."

– Deposit issues, Advice only

"I was ready when I moved in, was advised to take photographic evidence of the place. Any concerns I had, make a note of that. So I did, and there were issues, so I recorded them."

– Deposit issues, Advice only

When a claim is made on protected deposits, tenants may seek to dispute this, using this evidence. However, for tenants on particularly low incomes or who receive benefits, this may present a dilemma. While they face the most detriment from not getting a full deposit back, they are also most likely to urgently require the bulk of the deposit back as quickly as possible (particularly if they require a new deposit for their next private rental property).

"When you're kind of skint because you've had to move, you really want that money back now."

- Deposit issues, Local Authority Enforcement Team

Unprotected deposits present a different challenge. While tenants have the right to claim an unprotected deposit in full with compensation at Tribunal, this is not widely known.

Case study: Angie's* issue with a 're-deposit'

Angie had many problems in her flat, including issues with the condition of the property and the heating, a 35% rent increase, and finally an eviction notice so the landlords could move into the property.

Angie decided not to dispute this, and to look for a new home, in order to avoid the stress. She was in a difficult financial situation, and needed her deposit back in order to pay for a new deposit.

When she checked in on when she should expect this back, they informed her that it was a 'redeposit', not a deposit, and that as a result she should only expect £200 out of £800 back, which Angie had no awareness of.

Angie feels that she 'put up a pretty good fight', trying to get the full deposit back through writing letters to the lettings agency, but didn't know about any formal way to appeal this or search for redress, so had to accept it in the end.

"I said 'when's my money coming back?' And they said 'oh, you don't get that back' If I knew that was the case, I'd have got a deposit, paid the whole lot to get the whole lot back."

*Note names have been changed to protect participant anonymity.

5.5 Combined issues

Issues with rent increases, evictions and deposits may ignite broader complaints, such as disrepair and poor property condition.

As mentioned above, participants often saw their relationship with landlords as informal and personal, where if they kept their side of the bargain by being a low maintenance tenant the landlord would treat them with the same respect.

Therefore, participants can feel a real sense of injustice when faced with significant increases to their rent, eviction notices or the withholding of deposits. This can then cause tenants who have been self-managing disrepair and poor property conditions to demand a proper resolution to these problems.

"Things were just falling apart, constant stuff breaking, not wear and tear. Me and my friend aren't party animals, we're chill people. Bills all paid perfectly on time. From our side of the bargain everything was honoured to a tee, never a problem with neighbours, quiet, just good tenants."

- Deposit issues, urgent repairs, and eviction notice, Rent Service Scotland

"Tenants present with often compound problems. Landlords seeking possession to sell the properties, putting an end to uneconomic old-style tenancies, then tenants will come to [advice agencies] with other problems, all of which might have different pathways to resolve them. There's a large group of people who just live in poor conditions and need to be encouraged to seek repair standards orders."

- Advisor

6. Seeking formal advice

Note: This chapter is based on the experiences of tenants who accessed support from formal advice agencies, as well as those who did not proceed to do so when they experienced property issues.

Summary

Participants typically begin their journey with a limited understanding of the formal advice agencies that could be helpful. They therefore rely on friends and family and online searches in the first instance. These informal routes will often sign post to more formal advice agencies.

When participants first reach out to advice agencies, some describe encountering multiple issues which can lead to frustration and delay accessing help. These include capacity problems resulting in long waits or being referred to other organisations.

However, many participants have positive experiences with advice agencies. For some this was feeling empowered to resolve their housing problem without the need for redress, while for others this was by providing bespoke information about the redress pathways available to them.

6.1 Starting the advice journey

Starting points on advice journey

Participants often begin with limited awareness of how advice agencies might be relevant to them.

While there is some baseline understanding that advice agencies exist (particularly Citizens Advice), these organisations are often not front of mind when problems in their tenancy emerge. This is likely driven by participants 'starting points' discussed earlier in this report including:

- Limited awareness of their rights in the situation
- Limited awareness of the remit of advice organisations
- Seeing the situation through a personal (rather than legal) lens
- Seeing their situation as 'not serious enough' until it nears crisis

"I think just people are really unaware of Citizens Advice... or they know about Citizens Advice but they don't actually know whether they would deal with that situation. At first I thought it was for filling in forms, for court situations or for families or things like that."

- Repair issues and rent increase, Advice only

"When I think of Shelter, what I think of is like a homeless charity, helping out just people that are homeless. I don't think it's advertised that it's there to help people who are in homes. Citizens Advice, again, you kind of think, 'oh, that's a worst case scenario'. It needs to be really bad to go to Citizens Advice."

- Disrepair, rent increase and eviction, Advice only

Tenants will typically seek verbal advice from family or friends, or conduct online searches, as a first recourse.

Often immediately after experiencing a problem, tenants will turn to friends and family for advice. This serves an important role in providing emotional and practical support, and unlike formal advice is not perceived as an 'escalation' of the attempt to resolve the situation.

This is often valuable, including practical steps to try to resolve the issue or sources of further advice and support. However, there are risks that personal advice from friends and family may spread or entrench misconceptions about tenants' rights, advice and redress systems.

"I'd rely on calling friends and family, they'd say I can raise this and give you this... I know that we help each other no matter how it is. But my parents were already like there is no point, move out. I should have maybe resisted, but I didn't have the bandwidth."

- Rent increase, No advice or redress

"A lot of the clients [tenants] who would come forward would share advice with each other first in the first instance, and it wouldn't always be the right thing to do that they had been doing."

- Advisor

Participants also seek advice via online sources, another action which is seen as helpful but not an 'escalation' which could cause problems with a landlord. This will often lead the tenant to potentially valuable resources, such as Government websites or the Shelter or Citizens Advice websites.

"I did start Googling things. A lot of the advice was just to go to Citizens Advice and they'll help, so I did."

- Repair issues, Advice only

When well designed and relevant, these resources can give tenants a greater awareness of their rights. However, information can sometimes be challenging to understand or difficult to apply to individual circumstances, leading to further confusion.

Drivers to seeking formal advice

Personal recommendations from friends and family and advice in online resources can signpost and encourage participants to seek formal advice.

Friends and family can provide encouragement and support to access formal support. Those who have also experienced similar problems and sought formal advice can provide helpful recommendations for formal advice.

"I had a couple of sleepless nights. My son said you've been awfully quiet. I told him, he said 'why didn't you tell me?' He said he had rent issues as well, and that they're only allowed to put your rent up by 12%, that's the legal [limit]. He said contact [tenants union], gave me a phone number for them and I phoned up."

– Rent increase, Advice only

Online resources, particularly those issued by advice providers such as Shelter and Citizens Advice, may reassure tenants that these services are relevant to their own situation (e.g. Shelter offering support beyond homelessness) or provide encouragement or options to get in touch with questions.

"The ease of finding the information and understanding how it's written [on the website] is probably why Shelter was the first place that I went for some advice."

– Eviction, Tribunal (initiated by landlord)

Unlike more generalist advice agencies, law centres are most often accessed after onward referral from another advice agencies, rather than via these informal routes.

Participants with personal experiences using advice agencies for other issues (e.g. debt or benefits advice) are more likely to consider using them.

This is particularly the case for Citizens Advice, with a remit that is wider than housing. Participants who have had positive past experiences may recall these experiences and be motivated to contact them for help.

"I've used Citizens Advice before from personal relations, for like benefits and stuff like that. I think it's just the first person you think of because I wouldn't actually know who else to go to bar"

Citizens Advice, rather than them [thinking of them] being used for renting and reasons like that."

– Repair issues, Advice only

Barriers to seeking formal advice

Concerns about the impact on the landlord-tenant dynamic and the stigma of seeking support can be barriers to considering formal advice.

For participants who are aware of advice agencies, there can be additional barriers to taking this step. The primary one is the impact on the landlord-tenant dynamic from involving a third party in their dispute. This includes fear of retaliatory actions (e.g. rent increases or eviction), but also a wider fear about feeling uncomfortable in their home from having a strained personal relationship with their landlord.

Advisors also raise concerns that there can be a stigma around seeking advice, particularly for older tenants.

"There's a stigma around help, particularly for older demographics. There's apprehension around phoning for advice, feeling a bit ashamed because they've managed fine before... and people must be in a worse situation than me."

– Advisor

Once participants are made aware of formal advice agencies, problems around services' resourcing capacity can lead some not to actually access support.

Participants report that issues with long waiting times can make it impossible to make an appointment. Advisors also suggest that the capacity and demand for advice agencies in different parts of the country appear to vary significantly, with some areas seeing real problems with the oversubscription of services.

In some areas, some report deciding not to access services or being significantly delayed accessing services because local services (e.g. physical offices) have limited hours which do not fit around tenants' schedules.

"I work Monday to Friday nine to five. It's hard trying to find somewhere that's opened at weekends that you can talk to somebody at. That's quite difficult."

– Repair issues, No advice or redress

Once participants are in the system, problems with capacity can continue to impact their experience, leading some to give up with the process entirely. Long wait times between appointments and advisors seeming overstretched in appointments can be frustrating to manage for some.

"The [local advice agency] I attempted to contact was snowed under. We didn't get much of a response."

– Repair issues, No advice or redress

"I did manage to get an appointment [with a local advice agency] but it did take five weeks in all to actually see them."

- Repair issues,
Advice only

The perception that services are overstretched and struggling, which some participants associate with the broader state of public and charity services, can also act as a barrier. Some say the expectation of a long wait, or concerns that they might draw resources away from others who 'need them more' is likely acting as a barrier to seeking support.

"[National advice agencies] are just being absolutely hammered. And it was the same with [local advice agency]."

I think people might not even bother trying because they assume they'll be waiting forever."

- Disrepair, deposit issues,
rent increase, and
eviction, Advice only

6.2 Experiences of advice journeys

Participants who went on to seek formal advice have very different experiences, ranging from being overwhelmed and frustrated to empowered along the route to resolving their issue.

Participants who accessed formal advice are by and large glad that they did so, but have a spectrum of experience ranging from frustrating and unhelpful to reassuring and empowering.

Experiences with formal advice agencies broadly fit into one of three categories:

Reaching a dead end or 'going in circles'

In these situations, participants are informed, or come out of the interaction feeling, there is little that the advice provider can do to help.

In some cases, this is because the advisor believes that it is not worth seeking redress, discussed in more detail below.

"The officer at the council advised me against the Tribunal because he was like, it's just extra hassle and extra stress. I don't know if I wanted to prolong that anxiety for months on end rather than find myself another private rent."

– Eviction, Advice only

In others, long delays or not particularly helpful advice mean participants decide the process just isn't worth it and so abandon it entirely. This can be a particular risk when participants are passed from one organisation to another. Even when this process is smooth, it can be overwhelming and lead to attrition.

"The help was like well, here's the information, go and do with it what you want. At that time of crisis, the little things become big things and you just feel that you can't."

– Repair issues and eviction, Advice only

Feeling personally empowered to resolve the issue without needing to access formal redress mechanisms

In these situations, the advice provided gives participants knowledge of their rights and how they might go about pursuing them. This often leads to them finding a resolution without requiring formal redress (such as sending a letter to their landlord citing a law or with advisor-headed paper which has the desired effect).

"If you've got a problem, Citizen's Advice is usually your first port of call to go to find out where you stand... I was confident that I would get answers from Citizen's Advice on what to do."

Repairs, Advice only

Providing a route to formal redress

For these participants, the advice informs tenants about the relevant redress pathways and supports them in taking the first steps to resolution. Some participants continued to get advice and support throughout the process and some say they were referred to another organisation which can provide specialist support (such as a law centre supporting a tenant pursuing redress at the Tribunal).

"I didn't know anything about it at the start but [local advice agency] helped me with advice on Tribunal and how to apply for it, what the steps would be, what support would be around that... I didn't even know the Tribunal was an option beforehand."

- Disrepair, Tribunal

The key role that advice plays for participants is explored in the next chapter (7.2).

7. Pursuing formal redress pathways

Note: This chapter is based on the experiences of tenants who pursued formal redress pathways (such as the Tribunal, local authority enforcement teams and Rent Service Scotland), as well as those who did not do so.

Summary

When tenants first start experiencing problems, few are aware of formal redress pathways and how they might be relevant to their situation. As a result, the support of advice agencies (and recommendations from friends and family and online searches) can be crucial in raising the possibility of seeking redress.

Tenants are driven to pursue redress by a sense of urgency as they near a crisis point. Another major driver is feeling supported throughout the process (by formal advice or a friend or family advocate). When taking these big steps, tenants must overcome barriers including anxieties around escalating the situation, landlord retaliation, and an expectation that processes will be difficult, time-consuming and potentially expensive.

Participants who are interested in pursuing the Tribunal process find the initial application complex and the process lengthy, which in some cases causes people not to engage or drop out entirely. However, those who make it to the Tribunal have a really positive experience.

Local council enforcement teams are seen as easier to understand and access but participants worry about retaliation, making reassurance about protections absolutely vital.

The Rent Service Scotland journey is relatively simple and quick, but tenants sometimes have questions about how decisions are made.

7.1 Starting the redress journey

Starting points on redress journey

Few participants are aware of formal redress pathways, like the Tribunal, local authority enforcement teams, or Rent Service Scotland, and how they might be relevant to their situation when they start facing problems.

Awareness of formal redress pathways like the Tribunal, local authority enforcement teams, or Rent Service Scotland is low. This is particularly true of participants who haven't accessed advice agencies.

Most say that at the start of their journey they assumed that taking a landlord 'to court', is complicated, expensive and stressful and is the only way to achieve redress. Some former social housing tenants are aware of redress systems within the social rented sector, but assume that this form of accountability does not exist within the private rental sector.

"I've not heard a great deal, I have to say. I'm not really aware of anyone that I can contact about having, you know, issues with the house other than the estate agent."

- No advice or redress

"I would always assume that those things are more geared up for council houses and such."

- No advice or redress

Drivers to seeking redress

The key driver for seeking redress, and sticking with it, is a sense of urgency approaching a crisis situation.

Beginning a process of formal redress feels like a big step, and is largely driven by a feeling of being at 'crisis point' and having very few other options. For participants this might be because of a sudden pressing change in their situation, like a significant disrepair or eviction notice, or it might be because they feel they have finally exhausted all informal options with their landlord.

For those who respond to Tribunal proceedings being brought against them by a landlord or former landlord, they are immediately placed in this crisis situation and must respond to it.

"In the end, the infestation got that bad, I had to move out and had to contact the council [enforcement team], give them all the information and wait for a caseworker to be assigned."

- Infestation, Local authority enforcement team

A key supporting driver is feeling supported by an advisor.

Participants who feel supported and informed say they are more likely to have the confidence and know-how to start seeking redress, but also to stick with what can be a long and stressful process.

Participants say they felt more confident through information provided by advisors, having an 'advocate' along the way (such as an advisor or family member), or feeling well-equipped with the relevant resources and knowledge (e.g. being 'armed' with evidence or legal documents).

"I had a follow up call from the same advisor. She was really lovely and checked in if I had made a decision [about pursuing the Tribunal] or wanted any more support from them. So I do feel really confident."

- Disrepair, Tribunal

Barriers to seeking redress

Whether or not they had sought advice and/or redress, engaging with legal processes, and the Tribunal in particular, sounds intimidating to some participants.

After first hearing about the Tribunal as an option for seeking redress, participants' immediate reaction is often negative, driven by expectations of complexity.

As most know very little about the ins and outs of the law, legal terminology or how to pursue the Tribunal process, participants expect they'll need a lot of support to properly navigate it. The expectation is that this support will be costly or that free resources are so stretched they won't be accessible.

"In terms of things like Tribunals... for me, I always think they must be costly things. I don't know what's involved with raising something at a Tribunal or things like that."

- Disrepair, No advice or redress

The mental and emotional burdens of pursuing this route are also assumed to be high, and difficult to fit into busy day-to-day lives (e.g. work, childcare).

"I've got medical problems, and then you'd have stress [of the Tribunal] on top. And knowing that you're going to sit in that flat for months on end, waiting. The anxiety of that."

- Disrepair, Advice only

Across all avenues of redress, there is a widespread belief that the other party (landlord or agent) is likely to have more resources available and experience in these matters, giving them an advantage. Some also suspect that the current laws and their enforcement are likely to favour the landlord. As result, participants who

do not have the support of an advisor say they are unlikely to pursue resolution at the Tribunal independently.

"Landlords and letting agents would always be more up to date with the laws. Because this is their job... they have to do this because they're making money over it."

- Rent issues, Advice only

These barriers make the support of a formal advice agency crucial for many of those pursuing formal redress. Advisors often demystify the process, as well as providing practical support and reassurance throughout.

In some cases, advisors discourage tenants from following redress pathways.

While the support and information provided by advice agencies can often be key to beginning and continuing along redress pathways, in some instances information or advice provided may discourage seeking formal redress.

In some cases, the advisor may recommend against following certain redress pathways because they do not believe that it will be the best course of action for the tenant. This may be down to the:

- **Perceived chance of success:** The advisor considers that the tenant is unlikely to secure a positive resolution through this approach, or there may be risks to doing so (e.g. of retaliation from the landlord). If legal aid will be required, this may also mean that any compensation that can be won by the tenant may not benefit them.

"Legal aid is available in the First Tier Tribunal, which is a double-edged sword as there isn't much provision around expenses. It's a great assistance to tenants, but it also means that they can't recover costs when successfully pursuing applications. So, rewards may not be worth the time financially once you have to repay it."

- Advisor

- **Expected time for resolution:** Even if an advisor is confident that a tenant would eventually get a positive intervention, if they expect that this will take a long time and the tenant needs help urgently, they may advise against doing so. This is particularly relevant to the Tribunal, as the result of a long backlog.

"We don't really recommend the Tribunal [for disrepair] ... The length of time is an issue for repairs at the Tribunal. You're talking at least four months before it's resolved, probably way more than that, for urgent issues."

- Advisor

7.2 Experiences along redress pathways

Once participants have started their journey through redress pathways their experiences differ, as they navigate further barriers that emerge along journeys to reach the resolution.

Experiences of the Tribunal process

The first steps of making an application to the First Tier Tribunal can be challenging, making the support of an advisor highly valuable.

When taking the first steps towards making an application to the Tribunal, participants often find getting to grips with the key information and the actions required from them challenging.

The Tribunal website is one of the main resources used to make sense of the system independently, and tenants and advisors alike emphasise problems with the navigability of the interface and the complexity of information. Combined, this experience can serve to reinforce perceptions that one must 'speak Legalese' or be supported by a lawyer.

"I don't feel like we had really much in terms of support from the Tribunal process... I was so confused about the process and not having that kind of guidance on what happens when somebody submits a thing to Tribunal and what you need to do. I think having, if I'd had that information of, here are the next steps, here is what you need to do, that would have been helpful."

- Breach of contract,
Tribunal

"The process needs to be made eas[ier], the process of dealing with or applying for Tribunal. The client [tenant] at this point is mentally exhausted."

- Advisor

As such, when making these first steps, the support of an advisor is incredibly valuable. They provide practical support, helping to navigate the steps of working out what information is needed and how to go about making the application.

When a landlord initiates Tribunal or Court proceedings against a tenant, there is often an immediate state of panic.

In the event that a landlord or agent seeks to take the tenant to a Tribunal, it can be an overwhelming and frightening realisation for the tenant. With limited awareness of exactly what the Tribunal is and how they might go about defending their case, it can be difficult to know exactly where to turn as a 'crisis' situation immediately begins. One participant describes the confusion of being served the papers over a year after moving out from a property.

"The doorbell went when I was working from home. He said, 'I'm the Sheriff [Officer], are you [name]?' Like here you go, here are two stacks of paper. I said what on earth is this? Oh my god, what is going on? I was pretty distraught to be honest, and it was just after we were told that my husband needed surgery."

- Disrepair and
deposit issues,
Tribunal (initiated
by landlord)

In these scenarios, where the tenant faces proceedings initiated by the landlord participants describe immediately seeking informal and formal advice in order to get an understanding of the situation and clarity on how best they should proceed.

As a result of very long backlogs, the Tribunal is less effective for tenants who require urgent resolution to their issues.

Participants report waiting as long as a year and a half for their case to be heard. Where urgent resolution is required (e.g. disrepair issues), there is a situation in which 'justice delayed is justice denied', a point emphasised by advisors, who may not recommend the Tribunal as an option for some housing problems for this reason.

"For repairs in the Tribunal, maybe it will help after a year and a half of you having paid full rent for a sub-standard property... living with mould and damp damaging your health."

- Advisor

The uncertainty of the long wait at the Tribunal often weighs heavily on participants too, particularly if they are facing other challenges in their life or do not have the support of an advice organisation. In some cases, this leads them to

abandon the process and accept an outcome that they feel is unjust in order to be free of the stress of waiting.

"You know, it took so long and I looked it and thought, do I have to then meet them at the Tribunal? I don't have the energy to go through that. What I needed was somebody basically to take my hand and say this is what you do [...] I abandoned it because I had no strength yet."

- Eviction notice,
Advice only

While the backlogs are generally less of an issue for those who do not need an urgent resolution to their problem (e.g. appealing a rent increase, seeking compensation after moving out), the stress of a protracted period of uncertainty can still have a negative effect on the tenant and lead them to not complete the process.

"I hadn't heard back in three months [...] In the end I agreed to the rent increase [...] For my own mental health, I couldn't have just kept waiting and waiting and getting a barrage of emails saying you've got rent arrears. I had to agree because I was getting really stressed out about it."

- Rent increase, Tribunal

For tenants who make it to the Tribunal, the experience (including interactions with the staff) are largely positive.

While the pre-application process can be overwhelming and the wait prohibitively long, participants overwhelmingly describe positive experiences when interacting with the Tribunal and staff. This includes helpful practical support from caseworkers (e.g. clarifying what additional information will be helpful at application stage), supportive and professional interactions with Tribunal staff in the run-up to hearings, and a smooth, positive experience during hearings.

"I felt the gentlemen I spoke to [working for the Tribunal] were very clear. And if I didn't understand anything or asked them to clarify, they understood and would make it easier for me to understand, because the Tribunal talk was alien language to me."

- Deposit issues,
Tribunal (initiated
by landlord)

"They assign you a caseworker who goes through [the application] and kind of helps you out with all the admin stuff, if there's any missing information or any clarification needed, they would just ask you for it."

- Rent increase,
Tribunal

Participants who got to the end of the Tribunal process were by and large satisfied with the communication about their decision (although eventual satisfaction depends on the outcome and the challenges experienced in getting to this point).

Some advisors believe that across Scotland there may be disparities in how likely a Tribunal is to rule in favour of the tenant or the landlord depending on who will be sitting on it (e.g. due to the backgrounds and sympathies of members).

"[In our organisation], we've had maybe 1 or 2 [tenants] have a fair outcome out of a handful that have gone through... [there's] a sense of anxiety there surrounding what might happen in the future [when taking it to court]."

- Advisor

"There are different approaches from panels about how to treat things [...] one Tribunal can have a more interventionist approach, but it can vary from Tribunal to Tribunal]."

- Advisor

"There's a variety of backgrounds of legal members [of the Tribunal]. You can see from the written decisions that there's a variety of backgrounds of legal members. You've got Sheriffs who have come from wildly different backgrounds, and may not even have had the same training.'

- Advisor

Experiences of local authority enforcement teams

The early stages of applying to a local authority enforcement team tend to be less complex for participants than the Tribunal route.

In most cases, participants who made a complaint to their local housing enforcement team did so after being advised to do so (by an advice agency, friend or family member, or online resource), and after other efforts to get repairs to the property were not successful. Unless participants received advice, they are often not aware that their council can play this role within the private rental sector.

"I wasn't even aware that there would be an enforcement team in the council for private houses."

- Disrepair and
eviction, Advice
only

At this initial stage, participants are much less likely to perceive this redress route as a complicated, challenging or 'legal' process (compared to the Tribunal).

The most prominent concern for tenants embarking on local authority enforcement relates to concerns around the landlord-tenant dynamic.

The vast majority of participants making complaints to local authority enforcement teams are currently living in the property, and would like to remain in the property (on the condition that the problem is resolved).

For this reason, there is often a concern about retaliatory action after making a complaint. The support of an advice agency or a knowledgeable friend or family member can be important here, providing reassurances (e.g. around protections from eviction after an enforcement notice is issued).

"I was hesitant, some people talked about making a formal complaint. I was just scared to do that because I didn't know if that would reflect badly on me, especially when I was still technically living there."

- Infestation, Local authority enforcement team

"For things like rent or disrepair they're put off by the process or scared that their landlord will do something... like revenge evictions."

- Advisor

Tenants' experiences with local authority enforcement teams vary, which could reflect regional differences.

Participants' satisfaction with local authority enforcement teams depends on several key factors:

- **Speed of response:** how long it takes to hear back, proceed to inspection and decision

- **Inspection and decision:** the perception of how thorough and engaged the property inspection process is, and the outcome of the resulting decision
- **Outcome from decision:** whether the landlord or agent complies with this decision, and if not, the extent to which further enforcement action does or does not occur

As the decision to go to a council enforcement team often comes after a long period of self-management, delays in hearing back and achieving a response can be frustrating.

"I contacted them [local authority enforcement team] it was a two or three week process where I needed to give them all the information, [and then] wait for a caseworker to be assigned to me, [then] wait for an appointment."

- Disrepair, Local
authority
enforcement team

Participants are generally positive about the inspection and outcome process when it does happen. In the most positive cases, participants who may feel stigmatised and ashamed by the condition of their property are reassured by the responses of the inspector. Where participants have negative experiences, they often have issues with being directed between different housing officers, being made to re-explain situations with no single point of contact.

"I was embarrassed, I thought, have I done something wrong here? Am I dirty or something like that? Even though I know that shouldn't be the case at all. I felt vindicated when the Environmental Health people were saying this is a disgrace, a shambles, you shouldn't be here. It felt like finally I had someone on my side for the first time with it all."

- Poor property
condition and
urgent repairs,
Tribunal

The outcome following the decision can vary. In the best-case scenario, after a decision is made to intervene, there is a fast, effective intervention from the landlord or agent to address the relevant issues. However, in some cases the outcome leads to an ineffective intervention (e.g. a low-quality or partial repair), or is ignored by the landlord or agent entirely, leaving tenants unsure on what steps to take next.

Experiences of Rent Service Scotland

There is limited awareness of Rent Service Scotland and what constitutes an 'excessive' rent increase.

Even among tenants who experienced rent increases, there is very limited awareness of Rent Service Scotland.

"I just thought it was a thing that happens, rent increases. I had no idea you could appeal that or anything about it."

– Rent increases, No advice or redress

"I've never heard of Rent Service Scotland, to be honest."

– Rent increases and disrepair, No advice or redress

A minority come to learn about the 12% annual cap through advisors, friends or family or online searches. However, the majority of participants assume that there are no restrictions on the rent increases that a landlord can charge.

"I would have thought it was their house, it's up to them to charge what they want for it."

– Rent increases, Advice only

Instead of Rent Service Scotland, some participants describe being advised to look into the Tribunal to appeal their rent increase, which for many isn't an attractive proposition due to long wait times.

"The [agent] said I'd have to take it to a Tribunal or whatever, so I emailed the Tribunal place."

– Rent increases,
Tribunal

The Rent Service Scotland journey is comparatively simple and quick, but tenants sometimes have questions about how decisions are made.

In contrast to other redress pathways, tenants find the initial process of finding out more about Rent Service Scotland relatively intuitive.

"I think applying to them is very easy. You just fill in a form, you submit it, and that's it. You don't really have to do anything else. The procedure is simple because you apply and they get back to you within a decent time frame, I think it was a few weeks for the first rent officer."

– Rent increases and disrepair, Rent Service Scotland

However, there is often still some ambiguity about why decisions are made the way they are, including how factors like local market value may shape considerations.

"I didn't really realise the full ins and outs of Rent Service Scotland [when I was first applying]. I think the landlord would have been within a certain variation of the guidelines, so I backed down on that one and didn't end up sending the form, I suppose that's just house prices."

– Rent increases and eviction, Rent Service Scotland

"It's quite complicated to understand the formula and what it means [for the tenant]."

– Advisor

One participant was particularly frustrated when the initial decision to cap the rent increase to 9% was appealed by the landlord. This led to an eventual decision to settle on a 12% rent increase. In this situation, the tenant felt the rise was unjustified given the serious disrepair in the property and so felt let down by the final decision.

Advisors also raised concerns about the 21-day time window to apply for rent remediation after being served a rent increase notice, which is seen as particularly insufficient given the potential of postage delays, and for tenants with stressful and busy lives.

"The 21 days limit is just very very short. You have to receive a notice that will come in the post. I don't open my post every day. Then you have to handle the emotional stress, and sort it out, and understand how it works, which isn't that easy. The 21 day limit is a massive barrier."

– Advisor

Spotlight: Experiences with the Tribunal

"I was exhausted and when I'm tired I don't think straight. I didn't want to give an incorrect response to a question that would be misinterpreted."

Case study 2: Maisie defending herself at Tribunal*

After the pandemic, Maisie and her family moved to a village to be closer to family. Their new flat had issues at the start, including issues with a failing boiler, rotting blinds and decking and problems with electrics – but their landlord insisted on not taking a deposit. They had trouble getting these fixed, and eventually gave notice to the landlord that they'd be looking for a new home.

After moving out, the landlord started chasing them to start paying to replace the carpets and blinds, which confused Maisie given the poor condition they were in when they moved in.

A year and a half later, Maisie got a knock on the door from the Sheriff Officer, informing her that the landlord was demanding £3000 in costs, a terrifying and stressful situation. She agreed to pay £1000 in order to move on with her life, but the landlord continued to demand more.

Maisie immediately contacted both local and national advice agencies, and a local law centre. She was convinced that she was in the right. After a long wait, the Tribunal ruled in her favour. The landlord appealed, but once again the Tribunal ruled that Maisie should pay no more.

"I knew from the start that the landlord didn't have a case, but it hung over my life for a year."

*Note names have been changed to protect participant anonymity.

Spotlight:

Experiences with council enforcement teams

"I just assumed local councils were for people renting properties from them. I didn't know that they would have something set up for the private renting sector."

Case study 1: Josh's* experience with mould

After a few years of living in his flat, Josh discovered black mould growing in his bathroom. With an existing lung condition, the health implications worried Josh and he reached out to his letting agent several times. They were slow in responding, stating that the landlord was unreachable.

Josh's frustration grew into anger as he felt unsupported and at risk, all the while maintaining his property and paying rent on time. He contacted Citizen's Advice after doing some online research, and came to learn about the local council's support for private renters (including its enforcement team). He was surprised and assumed such support would just be available for those living in council housing. At this time, the landlord eventually responded and sent someone onto the property to inspect. The issue, which was resolved with maintenance works initially, eventually returned and Josh is considering reaching out to his local council again.

Case study 2: Becky's* moth infestation

About a year after moving in, Becky's flat developed a sudden, major moth infestation.

Becky arranged with the letting agency that a fumigator would visit, but in the end they only treated the boiler cupboard where the problem was worst, and the problem soon came back. After a period of delay from the lettings agency, the fumigator was re-booked, but this didn't solve the problem, which had got far worse in this time.

After this point, the agency was slower to get back to Becky. After speaking to some advice centres, she contacted the council's enforcement team. They said they would put in a report, but after weeks of waiting in the infested flat, there appeared to be no action or follow-up.

As a result, Becky gave in her notice to end the contract, and has been sofa surfing while looking for a new flat since.

"I felt that the infestation had got out of control, the agency weren't acting fast enough... but the Environmental Health [enforcement team at council] didn't manage to sort it."

*Names have been changed to protect participant anonymity.

Spotlight:

Experiences with Rent Service Scotland

Case study 1: Hamza's experience with Rent Service Scotland*

Hamza has rented a flat in Edinburgh for three years. His landlord was responsive at first, but issues arose when a new flatmate moved in and experienced bedbug bites, leading to a dispute over pest control responsibilities. After they raised this complaint there was lots of back and forth, and the landlord increased their rent significantly which Hamza felt was a result of their complaints. He contested the increase, as he was aware of the [then] 12% legal limit, but after the landlord dismissed his concerns. Hamza went through rent adjudication with Rent Service Scotland. They initially set the increase at 9% but later raised it to 12% without clear explanation, leaving him frustrated. He then took the case to a Tribunal, finding the process slow but less stressful, as he didn't have to pay the increase while waiting for a decision. The case is ongoing due to long waiting times.

For Rent Service Scotland, Hamza wants greater information and explanations for decisions made, and officers visiting properties to inspect. He felt it was important for them to consider how market rates may not reflect true 'value' or quality of properties and living conditions.

"[When] I applied for rent adjudication, the first rent officer set the rent to 9%. Then the landlord appealed and they increased it to 12%. But the second rent officer did not provide any explanation for why they increased it, and it was frustrating. When I asked them to explain their decision, why was this appeal successful, they couldn't explain anything...as a Government agency, [I expect this]."

Case study 2: Peter deciding against applying*

Peter rented a shared flat with his friend, and experienced immediate problems with poor condition and disrepair. While his housemate warned him not to complain too much, Peter would inform the landlord whenever a problem would arise (including leaks, mice, loose skirting boards), which often led to combative responses from the landlord.

Shortly after, Peter received a rent increase from the landlord. He looked into his options with an online search and came across Rent Service Scotland.

From this search, Peter was unsure whether applying to Rent Service Scotland would be successful. The rent increase was under the [then] legal limit of 12%, but due to the poor property condition and ongoing repair issues, even this felt unjust to Peter.

Peter started filling out the form, but after discussions with his housemate decided not to complete this. Instead, they started making plans to move out and find a new property.

"I thought am I going to waste time fighting with [the landlord] when I've fought so much? It's just constant."

*Names have been changed to protect participant anonymity.

8. Summary: Opportunities for improvement

This chapter draws on key themes emerging from this research to identify a set of opportunities for improving the experiences of PRS tenants going forward. These relate to PRS tenants’:

- *Experiences of, and access to, advice agencies*
- *Experiences of formal redress mechanisms overall, to encourage greater uptake*
- *Experiences of, and access to, specific redress mechanisms (e.g. Tribunals, Rent Service Scotland, local authority enforcement teams), alongside considerations for the future.*

8.1. Opportunities to improve formal advice agencies

There are four broad opportunities to improve tenants’ experiences of accessing formal advice:

Figure 3. Overview of opportunities to improve tenant experiences of formal advice agencies



Awareness – raising overall awareness and understanding of tenants’ rights, eligibility for support and the advisory resources available to them.



Accessibility – making resources easier for tenants to navigate to understand their rights (including online and on Scottish Government websites). Using laypersons language wherever possible and directly addressing common questions / misperceptions.



Resourcing – tackling resourcing constraints facing advice agencies to ensure they can meet growing demand for tenancy advice.



Co-operation – signposting tenants to the most suitable services so that they can advance their journeys.

Awareness

Building awareness that advice agencies may be relevant to tenants’ issues (and not just at crisis point) can drive uptake.

More broadly, there is a need to build tenants’ awareness of their rights and where responsibilities lie for landlords vs. tenants in resolving property issues. This will be important in encouraging tenants to identify and act on issues when they arise, by seeking advice and/or redress.

While there is some awareness of some major advice agencies (primarily Citizens Advice and Shelter), participants often do not immediately feel that these are relevant to their situation. In particular, most assume it is only relevant when they are at crisis point, but by this point it may be more difficult for advisors to help.

As such, greater and more beneficial uptake may rely on efforts to build awareness among tenants that advice agencies are relevant to individuals' situations, but also providing reassurance that asking for advice at an earlier point of the journey may be beneficial and is not an undue escalation against a landlord.

"I wasn't aware of who I would speak to in that sense, if the landlord didn't eventually [fix the issue] for me. I wasn't sure who I'd complain to apart from him."

- No advice or redress

Accessibility

Ensuring that resources (such as websites and written material) are intuitive and accessible can further support tenants.

Participants often encounter advice agencies through websites and other written material, and largely find these resources to be easy enough to navigate and understand. However, some do find resources a little overwhelming and legal language without clear explanation can knock confidence.

Any effort to use layperson's language where possible, and directly address common questions and misperceptions (e.g. about rights, responsibilities and the tenant-landlord dynamic) while signposting to how to access individual support from an advisor can help ensure that those with simpler queries can address them, while those who would benefit from individual advice know how this may help them and how to access this.

"It's a bit like, wow, that's a lot of information and I don't really know what I'm doing... It was overwhelming."

- Disrepair, rent increase
and eviction notice, Rent
Service Scotland

"The websites are quite complicated because when I went on, it was saying, contact your local council authority. And I was thinking, but it's not a council flat... So try and make it as simple as possible where there's maybe like a council tenant section and then a private let section."

- Disrepair, rent increase
and eviction notice, Advice
only

Resourcing

In the context of a growing private rental sector and ongoing cost of living pressures, demand is continuing to grow for advice agencies, and tackling resourcing constraints will be required to meet demand.

Advisors often stress the resource pressures across the advisory and charity sector, which is struggling to meet rising demand driven by a growing private rental sector and ongoing cost of living pressures (with rising rents at the core). Advice agencies' ability to keep up with demand appears to vary significantly from region to region across Scotland.

This is reflected in conversations with tenants, who in some cases describe long waits for appointments even when they are in a crisis. This may lead to the abandonment of attempts to seek resolution to the situation (e.g. deciding not to dispute an illegal eviction / rent increase).

Each of these avenues for improvement rely on the continued investment in ensuring that services have adequate capacity.

"The thing is the third party organisations don't have enough staff and resources for what's going on in the country at the moment. And the council's just the council."

- Disrepair, Advice only

"It's mostly a resources issue for how much of this you can do and prioritise as your work... all the advisors I know who work with tenants, their knowledge is pretty much spot on... it's mostly a resources issue."

- Advisor

Where legal support specifically is required, there is a specific challenge relating to the availability of legal aid and decreasing numbers of solicitors taking on legal aid cases. This means that legal aid is often reserved only for the most

extreme cases (e.g. where there is risk of homelessness) or for tenants on very low incomes.

"There's quite a huge problem with access to legal aid, with decades long cuts to the legal aid system. We have a huge problem with access to any legal recourse."

– Advisor

"The legal aid system is extremely stingy, not in line with the benefits system... there's 'shrinkflation', or fiscal drag [from required income levels not being adjusted with inflation], so we can't afford to take on cases."

– Advisor

Co-operation

Ensuring that tenants are signposted to the most suitable services (without getting lost along the way) is key to advancing tenants' journeys.

Different advice agencies may have different expertise and specialisms, so signposting and referrals are important for ensuring that tenants get the most appropriate and helpful support for their individual situation.

However, these processes can be disconcerting for tenants, with participants describing frustrating experiences of having to explain their situation again, or the referral process making them feel like they're 'going in circles'. Some also describe being signposted to another organisation, which does not have capacity to support, leaving them frustrated and confused.

As such, ensuring that the signposting process is as smooth as possible, and particularly looking to avoid referrals to organisations which do not have the capacity to support at all, or are likely to signpost onwards, may help to counter attrition along the journey.

Any work to more effectively monitor and pool resources and expertise across advice agencies can help to reduce attrition by avoiding moments of frustration and lost hope.

"We were put through a variety of charities, sometimes maybe Scotland specific, sometimes UK specific, just getting passed post to post... it was no help in the end."

– Repair issues, Advice only

8.2. Opportunities to improve redress pathways overall

There are five broad opportunities to improve tenants' experiences of seeking redress overall, and encourage greater uptake:

Figure 4. Overview of opportunities to improve tenant experiences of redress pathways



Awareness – raising awareness of resource mechanisms which tenants might be eligible for.



Accessibility – improving the accessibility of redress mechanism resources, to help tenants start and navigate their redress journey.



Protection and reassurance – helping tenants to start the redress journey by maximising protections against retaliatory action from landlords, and reassuring them about this.



End-to-end support – offering consistent support throughout the redress journey to encourage tenants to stick with the process.

Awareness

More widespread awareness that redress pathways exist within the private rental sector, and may be more accessible than expected, can help to drive uptake.

Initial awareness that these redress pathways exist and may be relevant to their situation among tenants experiencing issues is very limited at the point when issues come on. There is a need for greater awareness, but also a demystification of processes that may sound inaccessible, confusing and potentially irrelevant.

Accessibility

Improvements to redress system resources to be more accessible can help to reach time-stretched and stressed tenants.

When participants investigate these systems independently, it can often be difficult to navigate resources to find and understand the specific information that they need to start their journey. Any efforts to improve these resources making them easier to find, navigate and understand, can help tenants get started.

Protection and reassurance

Reassurance that protections exist from retaliatory actions can help overcome barriers to starting redress process.

Taking the first steps towards seeking redress can be very daunting, particularly for those worried about the impact on their relationship with their landlord or the possibility of retaliatory action. Ensuring that protections are put in place where possible (e.g. protection from eviction during Tribunal process or after an enforcement notice is served), and foregrounding these protections in communications can help to reassure anxious tenants in need of redress.

End-to-end support

Participants who feel supported from end to end are far more likely to overcome barriers to starting the process, and to stick with it through the potentially stressful and long waits.

This can be provided within redress systems. This may include providing consistent points of contact throughout the redress journey, improving linkages between and within services to avoid tenants having to repeat themselves, and making tenants feel better understood at what is often a very challenging point in their lives.

Systems that may allow tenants to self-serve (e.g. access updates) can also help them to feel across the process without worrying about burdening staff.

The support of external advisors is crucial for many tenants. Signposting to where external support may be relevant and helpful, and considering any areas where improved coordination between advisory and redress services can also benefit tenants' experiences of redress systems.

8.3. Opportunities to improve individual redress pathways

There are specific opportunities to improve experiences of, and access to, the individual redress pathways covered within this research:

Tribunal

Reduced waiting times: Tenants' reflections on going through the Tribunal process are dominated by concerns about the long wait times, which deter them from starting the process (and advisors from recommending it), and can leave them in a stressful limbo period and lead to attrition. As such, resources and efforts to tackle the Tribunal backlog will be a central plank of any improvements.

"There were several months between me initially contacting them and Tribunal proceedings being raised."

- Poor property condition,
Advice only

Clear information at the outset: From the get-go, tenants are often intimidated by the Tribunal process. They often go into the process with uncertainties around their knowledge of their rights, uncertain of what the Tribunal process will look like, and what support they may be eligible for (from the Tribunal, and from advice agencies). As such, clear, concise, tailored communications for their situation can help establish a baseline understanding, particularly for those who do not have an external advisor.

"It would have been better if we felt like we had [been] a little more supported in the first instance... I found plenty of external support from speaking to [local advice agency], but I was so confused about the process and not having that guidance on what you have to do."

– Eviction, Tribunal (initiated by landlord)

A more user-friendly website: Tenants and advisors alike emphasise how difficult to navigate and often overwhelming the Tribunal website is. This reinforces the perceptions of tenants that the Tribunal process is likely to be inaccessible for somebody 'like them', deterring those without the support of an advisor from continuing with the process. Improving the user-friendliness of the website would be one step towards creating a more accessible Tribunal process.

"The exact information you need is always hidden on a page that's hidden on another page. They need to make that simpler."

– Disrepair and rent increase, Tribunal

More 'self-service' capabilities: Particularly during a protracted wait, many tenants would benefit from having a 'one stop shop' for checking in on the status of their application, estimated timelines and any documents required from them in one place.

"I don't know if it's my anxiety kind of thing, it would have been good to have wee tracker. These are the stages, it's been lodged with the court, this is the rough timeframe."

– Eviction and deposit issues, Tribunal

Local authority enforcement teams

Enforcing protections and informing tenants: Tenants getting in contact with local authority enforcement teams are particularly likely to be worried about the potential of retaliatory action from landlords (e.g. evictions). Wherever suitable, protections such as that from eviction after an enforcement notice is served, should be issued and this should be made clear to tenants.

"You'd want to be sure that the landlord isn't going to be annoyed and try and turf you out for complaining."

– Disrepair, Local authority enforcement teams

Reassurance about timings: Tenants complaining to local authority enforcement teams are likely to be already near 'crisis' point. As such, being very clear about timelines can provide further reassurance.

"Obviously when it comes to your home, you want answers right away because you're apprehensive of what's going to happen."

– Disrepair, Local authority enforcement teams

Easier to find information: Tenants who are not receiving advice may find it difficult to locate the information about enforcement teams and how to start the process, or be entirely unaware that such a system exists and is relevant to private rental sector housing. Raising the prominence of this information on council websites and other resources, and proactively communicating with tenants, can help challenge these awareness and information issues.

"Council websites, so many things can be misconstrued with the wrong links to things. I get really overwhelmed."

– Disrepair and deposit issues, Advice only

Rent Service Scotland

Building knowledge of remit: Knowledge that Rent Service Scotland exists can be limited, and there may be some confusion as to why tenants would decide to appeal a rent increase at Rent Service Scotland as opposed to the Tribunal.

"I'd never heard of [Rent Service Scotland]. It's great that it exists, but I wish I'd known before."

– Rent increase, No advice or redress

Greater clarity on decisions: Users of Rent Service Scotland may feel that the decision-making process lacks transparency, particularly where issues like state of repair and local market rates come into it. Any simple resources to help get a grasp of this can provide clarity and reassurance.

"What I didn't like is the fact that they were not as transparent as I would expect of a Government agency in the manner that they make decisions."

– Rent increase, Rent Service Scotland

8.4. Considerations for the future

This research has highlighted a critical awareness challenge across the tenant journey – from their ‘starting points’, to their experiences of seeking advice and redress.

Consumer Scotland could consider the full ‘picture’ of information that PRS tenants currently lack in relation to their rights and the support available to them:

Topic	Intervention
First time private renting?	Introductory guide / checklist for first time private renters (e.g. what to look for in your contract)
Roles and responsibilities	Clarity on landlord / tenant roles and responsibilities codified by law
Tenants’ rights	What tenants are entitled to, what can / can’t they challenge and why
Where to go for advice	When should tenants seek advice about property issues, who should they go to and how
Redress pathways	When should tenants seek redress, what options exist for different issues, and how do they start

Given current challenges around accessibility and clarity, tenants will benefit from a centralised information source, covering the full picture, delivered by a trusted messenger (e.g. Scottish Government, or established advice agencies with signposting from gov.scot).

9. Appendix

Expert stakeholders

We conducted a series of online expert interviews as part of the scoping phase for this research:

- 6 x 40 minute online interviews with a Thinks researcher
- Mix of advisors and solicitors
- Range of organisations including Living Rent, the Legal Services Agency, Indigo House Group, Citizens Advice Scotland, and Citizens Advice Bureaus

Advisors

We conducted a series of online focus groups with advisors and solicitors currently supporting tenants with housing issues, and seeking advice and/ or redress pathways.

- **2** X 90 minute online focus groups, pre-tenant fieldwork period
- **1** X 90 minute online focus group during tenant fieldwork period
- **3** X solicitors and **5** X of advisors
- Range of organisations including Law Centres, ADS, the Legal Services Agency, Age Scotland, and Citizens Advice Bureaus

Tenants interviews

We conducted 40 online depth interviews with PRS participants who have experienced a range of housing issues.

Category		Total participants (n=40)	Advice only (n=12)	Redress pathway (n=18)	No advice/ redress (n=10)
Age	18 - 30	7	1	4	2
	31 - 50	21	7	10	4
	51 - 69	11	4	4	3
	70+	1	-	--	1
Gender	Female	22	5	10	7
	Male	17	6	7	3
	Other	1	1	-	-

A Fairer Private Rented Sector Market: Tenants Research

Ethnicity	White	31	8	16	7
	Ethnic minority	9	4	2	3
Socio-economic group (SEG)	ABC1	17	5	9	3
	C2DE	23	7	9	7
Location	Urban	18	4	10	4
	Suburban	10	5	3	2
	Rural	12	3	5	4
Long term health condition	Yes	12	4	6	2
Carer	Yes	15	4	9	2
Advice only	Accessed advice	12	12	-	-
Redress pathway	Accessed redress pathways	18	-	18	-
No advice/redress	Did not access advice or redress pathways	10	-	-	10
Property issues experienced (Note: more than one issue experienced by participants)	Poor property condition (e.g. mould, damp, disrepair)	13	4	9	2
	Needing urgent repairs to the property / critical elements (e.g. weather tightness, structural stability)	20	7	10	3
	Deposit issues (e.g. landlord wouldn't return full deposit)	13	3	7	3
	Eviction notices / threats	11	3	6	2
	Rent increases	20	5	8	7
	Other	2	-	2	-
Forms of support attempted to access (advice /	Advice agencies (e.g. Shelter, Citizens Advice,	28	12	16	-

A Fairer Private Rented Sector Market: Tenants Research

redress) (Note: Most users of redress systems also accessed advice agencies. Some participants accessed or tried to access more than one redress system)	advice from local authority or solicitor)				
	Tribunal	6	-	6	-
	Rent Service Scotland	4	-	4	-
	Local Authority Enforcement Teams (private sector housing team and/or environmental health team)	6	-	6	-
	Other formal redress service (procedure via the Sheriff Court)	1	-	1	-
Forms of support attempted to access (non-advice/ redress) (Note: More than one attempt accessed by participants)	No attempts	2	-	-	2
	Online research	2	-	-	2
	Paid for repairs	4	-	-	4
	Spoken to family and friends	4	-	-	4
Financial situation (note: more than one situation experienced by participants)	I have used my bank account overdraft in the past year	25	7	11	7
	I don't always have enough money to pay my bills each month	23	5	8	10
	I/ my partner was made redundant in the past 12 months	12	3	2	7
	I am struggling to afford the essentials	22	5	7	10
	I struggle to afford anything more than the essentials	30	8	12	10

	I would struggle to pay an unexpected bill of £100 or more	30	8	12	10
--	------------------------------------------------------------	-----------	----------	-----------	-----------

One participant was recruited through an advisor from the focus groups, where advisors put out a call out for tenants to be redirected to our recruitment partners for secure screening.

Pre-task questions for advice only/ redress pathway interviews

This was completed by participants ahead of their interview, in order to gain contextual understanding of their experiences of housing issues and journeys. Participants had the option to complete through Microsoft forms, email, or post.

- We'd now like to know a bit about your current housing situation. How would you describe this?
- Thinking to the situation where you had a housing or landlord issue, could you please describe what this was?
- What were you feeling and thinking when you were facing this issue?
- When did you first notice this issue, and how did it impact you?
- What was the first steps you took to try and address this issue? How long did it take you to make this first step?
- Which organisations, if any, did you contact to try and get support for this issue?
- How helpful did you find this advice or support?
- In your last answer, you mentioned how helpful/ not you found this advice. Could you explain why?
- Was your issue resolved, or in the process of being resolved? If your issue is ongoing, how hopeful do you feel about getting a resolution for your issue?

Pre-task questions for no advice/redress interviews

This was completed by participants ahead of their interview, in order to gain contextual understanding of their experiences of housing issues and journeys. Participants had the option to complete through Microsoft forms, email, or post.

- We'd now like to know a bit about your current housing situation. How would you describe this?
- Thinking to the situation where you had a housing or landlord issue, could you please describe what this was?
- What were you feeling and thinking when you were facing this issue?
- When did you first notice this issue, and how did it impact you?
- What was the first steps you took to try and address this issue? How long did it take you to make this first step?
- (If you have raised this issue with your landlord / letting agency) How helpful was your landlord / letting agency in helping you get support for this issue? Why?

- If you haven't raised this issue with your landlord/letting agency, please feel free to skip this question
- (If you haven't raised this issue with your landlord / letting agency) Could you share with us why you've not raised this issue with your landlord / letting agency?
 - If you have raised this issue with your landlord or letting agency, please feel free to skip this question.
- Do you know of any organisations that can offer support for the issues you've experienced, or housing issues generally? For example Local councils, organisations like Citizens Advice, Shelter, Law Centres, or others.
- And how helpful do you think such services could be for helping resolve your issues?
- Was your issue resolved, or in the process of being resolved?
- If your issue is ongoing, how hopeful do you feel about getting a resolution for your issue?

Post-task questions for tenants and advisors

Following the interviews and completion of the research, tenants and advisors were invited to share their feedback on an executive summary of the research. Participants had the option to complete through Microsoft forms, email, or post.

- Firstly, what is your full name? *This is so we can make note that you have responded. This information will not be shared with Consumer Scotland or in our report.*
- And how would you best describe your involvement in this research?
 - I am a tenant who has experienced, or is currently experiencing, housing issues
 - I am an advisor or solicitor who offers advice or legal assistance to tenants experiencing housing issues
- What area do you live in?
- And what is the name of your organisation? *Please write N/A if this does not apply to you.*
- After reading the key findings from our research, what do you think about them? Do you feel like they reflect your views and experiences? Is there anything missing or that you would change?
- Is there anything else you want to share that you feel hasn't been captured in this summary? Please do let us know.

Questions used for the 'advice only' group:

Section	Key questions and probes
Section 1: Introduction	<p><i>Moderator to go through introductions, terms of the session, obtaining consent, and ask the participant to introduce themselves, including:</i></p> <p>First name</p>

	<p>Where you live and who you live with</p> <p>What you like to do in your spare time</p> <p>A few words about your current housing situation</p>
<p>Section 2: Overview of the redress journey</p>	<p>Thank you for introducing yourself. To begin, I'd like to hear a bit more about the experiences with housing issues that you wrote about in the pre-task.</p> <p>Please can you talk me through your experience, including:</p> <ul style="list-style-type: none"> • How and when the problem started • What your initial thoughts and responses were to this issue • What steps you took to address the situation over time • What advice and/or complaint processes you followed and your experiences of these <ul style="list-style-type: none"> ○ <i>Moderator to listen carefully, letting the participant describe the journey in their own words and their own time, only interrupting to clarify something or ask for more detail.</i> ○ [If not covered] What, if any, were the points along your journey where the process seemed to be working smoothly? What made this feel this way? ○ [If not covered] What, if any, were the low points along your journey? What made this so negative for you?
<p>Section 3: Drivers and barriers for seeking support</p> <p><i>To explore awareness and expectations of support overall for tenants in their situation, covering early stages of the</i></p>	<p>Thank you for talking me through this journey. Now, I'd like to speak in a bit more detail about what led you to seek formal advice / use formal complaint systems, and anything that might have held you back from taking that step. Moderator to adapt to specific advice / redress pathway mentioned in overview.</p> <p><u>Nature of the issue and how it may be resolved...</u></p> <ul style="list-style-type: none"> • When you first experienced your problem what, if anything, did you know about your rights as a tenant? <ul style="list-style-type: none"> ○ What, if anything, did you know about the support available to private rental sector tenants in your situation? <i>Moderator may probe on advice / redress examples.</i>

<p><i>advice/redress journey</i></p>	<ul style="list-style-type: none"> ○ What about when you first experienced the issue? • And what, if anything, did you know about different complaint mechanisms and how they might help with your situation? <ul style="list-style-type: none"> ○ <i>If not aware...</i> <ul style="list-style-type: none"> ▪ What sorts of support or complaint systems would you expect to be available to you? ○ <i>If tenant has used this system, or otherwise is aware...</i> <ul style="list-style-type: none"> ▪ How, if at all, did you become more aware of this system? ▪ How relevant did they seem to your situation at first? Why? <p>A range of redress systems are available to tenants in Scotland who experience issues such as disrepair, eviction notices and the failure to return deposits.</p> <p>These include reporting the issue to the local council's enforcement team, appealing a rent increase through Rent Service Scotland as well as Tribunal or Court proceedings against a landlord.</p> <ul style="list-style-type: none"> • What is your reaction to hearing about these different options available to tenants in your situation? <ul style="list-style-type: none"> ○ What, if anything, is surprising? Why? ○ What impact, if any, would knowing about these have had on the steps you took? <p><u>Seeking advice...</u></p> <ul style="list-style-type: none"> • What prompted you to start seeking formal advice that you did? <i>Moderator may prompt on online research, failure of alternative approaches, actions from landlord (e.g. eviction notice).</i> <ul style="list-style-type: none"> ○ How did you decide that this form of advice was relevant to your situation? ○ What were your expectations of this advice? ○ Did you consider any other forms of advice? Why / why not? ○ How helpful was this? Why / why not?
--------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"> • At this stage, how aware were you of formal redress processes (e.g. local council, tribunals, courts)? <ul style="list-style-type: none"> ○ What had you heard about these? Where? • What were your thoughts and feelings about taking the first steps when seeking formal advice [i.e. via services, rather than informal/online/family and friends]? <ul style="list-style-type: none"> ○ What were your expectations of this advice? ○ What, if anything, made you feel hopeful or comfortable at this stage? ○ What, if anything, made you feel concerned at this stage? • What, if anything, put you off or delayed you from taking these first steps? <i>Moderator may probe on lack of awareness about where best to get formal advice, lack of confidence in outcomes, expectations about how difficult or time-consuming it would be, fear of retaliatory action from landlord.</i> <ul style="list-style-type: none"> ○ What, if anything, helped to overcome these barriers for you? ○ What other support at this stage would have been helpful for you? • How relevant, if at all, did this advice feel to your situation? Why? <ul style="list-style-type: none"> ○ What, if anything, did you hear about their relevance to your situation as part of the advice that you received? ○ How hopeful would you be that these systems would have benefitted you in your situation? Why? • What was the outcome of seeking this advice? <ul style="list-style-type: none"> ○ What steps did you take after that? Why? ○ What impact, if any, did this have on your housing issue? ○ How far did you feel your issue was resolved? Why/Why not? <p><u>Awareness of redress among advice-only tenants:</u></p> <ul style="list-style-type: none"> • How aware were you of redress/complaint systems available to tenants in your situation? <ul style="list-style-type: none"> ○ [if aware] How did you become aware of them?
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"> ○ What, if anything, was mentioned when you sought advice? ○ What would you expect to be available to you in terms of redress? Why? • What, if anything, might have led you to consider using one of these systems? <ul style="list-style-type: none"> ○ What would you want to know about these systems? ○ What would the process of using these systems look like to be more attractive to you? ○ What outcomes/results would you need to feel were possible? • What, if anything, would have put you off or delayed you from using one of these systems? <i>Moderator may probe on lack of awareness, lack of confidence in outcomes, expectations about how difficult or time-consuming it would be, fear of retaliatory action from landlord.</i> <ul style="list-style-type: none"> ○ What, if anything, would have helped to overcome these barriers for you? ○ What other support at this stage would have been helpful for you?
<p>Section 4: Deep dive on experiences of seeking advice</p> <p><i>To explore experiences of redress pathways in depth, surfacing key challenges and gaps in the process for tenants</i></p>	<p>Thank you for talking me through your first steps. Now, I'd like to hear more about how the process of seeking advice went for you.</p> <p>Reflecting on your experiences of seeking advice, what three words come to mind? Why?</p> <p>How easy or difficult was the process of seeking advice?</p> <ul style="list-style-type: none"> ○ How easy to understand was it? ○ How easy to push the process forward was it? • What, if anything, did you worry about when going through the process? <ul style="list-style-type: none"> ○ What impact, if any, did it have on your relationship with your landlord? ○ What impact, if any, did it have on you personally? <i>Moderator may probe on emotional effect, confidence about staying in home</i> • What was your experience like at each stage of the process? <ul style="list-style-type: none"> ○ Which stages were the smoothest? Why? ○ Which were the most challenging? Why?

	<ul style="list-style-type: none"> • What did you need (e.g. support, information) did you need at each stage? <ul style="list-style-type: none"> ○ Did you receive this? ○ What, if anything, was missing? • What was the eventual outcome of this process? <ul style="list-style-type: none"> ○ How satisfied were you with this? ○ What impact did this have on your life and housing situation? ○ How long did this process take? What was the impact on you while you were waiting? ○ What, if anything, were you unsatisfied with? • What, if anything, would you personally do differently if you were going through this process again?
<p>Section 5: What could be improved</p> <p><i>Exploring how redress pathways could better serve tenants going forward</i></p>	<p>Thank you for running through your experiences of getting advice. Now, I'd like you to think about what could be improved.</p> <p>What one change would you make to the advice process? Why?</p> <p><i>Moderator to probe on specific aspects mentioned by participant to move beyond raising awareness to explore improvements further along the advice process</i></p> <ul style="list-style-type: none"> ○ What difference would this make to your own experience? ○ What difference would this have on your life now? <ul style="list-style-type: none"> • What other changes to the process would have made a difference in your situation? <i>Moderator may probe on stages where the tenant experienced difficulties, on concerns with outcome.</i> <p>Research shows that many tenants who experience serious issues with their home do not seek out formal advice. What else could be done to encourage tenants to seek formal advice in this situation? <i>Moderator may probe on raising awareness, more robust rights for tenants / more likely to get positive outcomes, making processes easier.</i></p>

Section 6: Wrap-up and close	<p>Thank you very much for answering all of our questions. Before we wrap up, I have one final question for you.</p> <ul style="list-style-type: none"> • What one piece of advice would you have for somebody who is having the same problem that you experienced with your home?
-----------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Questions used for the 'redress pathways' group:

Section 1: Introduction	<p><i>Moderator to go through introductions, terms of the session, obtaining consent, and ask the participant to introduce themselves, including:</i></p> <p>First name Where you live and who you live with What you like to do in your spare time A few words about your current housing situation</p>
Section 2: Overview of the redress journey	<p>Thank you for introducing yourself. To begin, I'd like to hear a bit more about the experiences with housing issues that you wrote about in the pre-task.</p> <p>Please can you talk me through your experience, including:</p> <ul style="list-style-type: none"> • How and when the problem started • What your initial thoughts and responses were to this issue • What steps you took to address the situation over time • What advice and/or complaint processes you followed and your experiences of these <ul style="list-style-type: none"> ○ <i>Moderator to listen carefully, letting the participant describe the journey in their own words and their own time, only interrupting to clarify something or ask for more detail.</i> ○ [If not covered] What, if any, were the points along your journey where the process seemed to be working smoothly? What made this feel this way? ○ [If not covered] What, if any, were the low points along your journey? What made this so negative for you?

<p>Section 3: Drivers and barriers for seeking support</p> <p>To explore awareness and expectations of support overall for tenants in their situation, covering early stages of the advice/redress journey</p>	<p>Thank you for talking me through this journey. Now, I'd like to speak in a bit more detail about what led you to use formal complaint systems, and anything that might have held you back from taking that step.</p> <p><i>Moderator to adapt to specific advice / redress pathway mentioned in overview.</i></p> <p><u>Nature of the issue and how it may be resolved...</u></p> <ul style="list-style-type: none"> • When you first experienced your problem what, if anything, did you know about your rights as a tenant? <ul style="list-style-type: none"> ○ What, if anything, did you know about the support available to private rental sector tenants in your situation? <i>Moderator may probe on advice / redress examples.</i> ○ What about when you first experienced the issue? • And what, if anything, did you know about different complaint mechanisms and how they might help with your situation? <ul style="list-style-type: none"> ○ <i>If not aware...</i> <ul style="list-style-type: none"> ▪ What sorts of support or complaint systems would you expect to be available to you? ○ <i>If tenant has used this system, or otherwise is aware...</i> <ul style="list-style-type: none"> ▪ How, if at all, did you become more aware of this system? ▪ How relevant did they seem to your situation at first? Why? <p>A range of redress systems are available to tenants in Scotland who experience issues such as disrepair, eviction notices and the failure to return deposits.</p> <p>These include reporting the issue to the local council's enforcement team, appealing a rent increase through Rent Service Scotland as well as Tribunal or Court proceedings against a landlord.</p> <ul style="list-style-type: none"> • What is your reaction to hearing about these different options available to tenants in your situation? <ul style="list-style-type: none"> ○ What, if anything, is surprising? Why? ○ What impact, if any, would knowing about these have had on the steps you took?
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p><u>Getting started with redress systems...</u></p> <ul style="list-style-type: none"> • What prompted you to start using the approach that you did? <i>Moderator may prompt on formal advice (in particular), informal advice, online research, failure of alternative approaches, actions from landlord (e.g. eviction notice).</i> <ul style="list-style-type: none"> ○ How did you decide that this approach was relevant to your situation? ○ Did you consider any other of these systems? Why / why not? ○ What was attractive about this course of action? • Was there anything else that you did before? (e.g. writing a letter to your landlord) • What were your thoughts and feelings about taking the first steps when using this system? <ul style="list-style-type: none"> ○ What, if anything, made you feel comfortable at this stage? ○ What, if anything, made you feel concerned at this stage? • What, if anything, put you off or delayed you from taking these first steps? <i>Moderator may probe on lack of awareness about redress system, lack of confidence in outcomes, expectations about how difficult or time-consuming it would be, fear of retaliatory action from landlord.</i> <ul style="list-style-type: none"> ○ What, if anything, helped to overcome these barriers for you? ○ What other support at this stage would have been helpful for you
<p>Section 4: Deep dive on experiences of seeking redress</p> <p><i>To explore experiences of redress pathways in depth, surfacing key challenges and gaps in the</i></p>	<p>Thank you for talking me through your first steps. Now, I'd like to hear more about how the process of seeking redress went for you.</p> <p>Reflecting on your experiences of seeking redress, what three words come to mind? Why?</p> <ul style="list-style-type: none"> • How easy or difficult was the process of seeking redress? <ul style="list-style-type: none"> ○ How easy to understand was it? ○ How easy to push the process forward was it? • What, if anything, did you worry about when going through the process? <ul style="list-style-type: none"> ○ What impact, if any, did it have on your relationship with your landlord?

<p><i>process for tenants</i></p>	<ul style="list-style-type: none"> ○ What impact, if any, did it have on you personally? <i>Moderator may probe on emotional effect, confidence about staying in home</i> • What was your experience like at each stage of the process? <ul style="list-style-type: none"> ○ Which stages were the smoothest? Why? ○ Which were the most challenging? Why? • What did you need (e.g. support, information) did you need at each stage? <ul style="list-style-type: none"> ○ Did you receive this? ○ What, if anything, was missing? • What was the eventual outcome of this process? <ul style="list-style-type: none"> ○ How satisfied were you with this? ○ What impact did this have on your life and housing situation? ○ How long did this process take? What was the impact on you while you were waiting? ○ What, if anything, were you unsatisfied with? • What, if anything, would you personally do differently if you were going through this process again?
<p>Section 5: What could be improved</p> <p><i>Exploring how redress pathways could better serve tenants going forward</i></p>	<p>Thank you for running through your experiences of getting redress. Now, I'd like you to think about what could be improved.</p> <p>What one change would you make to the redress process? Why?</p> <ul style="list-style-type: none"> ○ <i>Moderator to probe on specific aspects mentioned by participant to move beyond raising awareness to explore improvements further along the redress process</i> ○ What difference would this make to your own experience? ○ What difference would this have on your life now? <ul style="list-style-type: none"> • What other changes to the process would have made a difference in your situation? <i>Moderator may probe on stages where the tenant experienced difficulties, on concerns with outcome.</i> • Research shows that many tenants who experience serious issues with their home do not seek out formal advice. What else could be done to encourage tenants to seek formal

	<p>advice in this situation? <i>Moderator may probe on raising awareness, more robust rights for tenants / more likely to get positive outcomes, making processes easier.</i></p> <ul style="list-style-type: none"> • [if participant sought redress] Research also shows that relatively few people engage with formal systems like these (e.g. local authority housing enforcement teams, tribunals, Rent Service Scotland). What, if anything, could be done to encourage more people to use these systems? <i>Moderator may probe on raising awareness, more robust rights for tenants / more likely to get positive outcomes, making processes easier.</i>
<p>Section 6: Wrap-up and close</p>	<p>Thank you very much for answering all of our questions. Before we wrap up, I have one final question for you.</p> <ul style="list-style-type: none"> • What one piece of advice would you have for somebody who is having the same problem that you experienced with your home?

Questions used for the 'no advice/ redress' group:

<p>Section 1: Introduction</p>	<p><i>Moderator to go through introductions, terms of the session, obtaining consent, and ask the participant to introduce themselves, including:</i></p> <p>First name Where you live and who you live with What you like to do in your spare time A few words about your current housing situation</p>
<p>Section 2: Overview of the journey</p>	<p>Thank you for introducing yourself. To begin, I'd like to hear a bit more about the experiences with housing issues that you wrote about in the pre-task.</p> <p>Please can you talk me through your experience, including:</p> <ul style="list-style-type: none"> • How and when the problem started • What your initial thoughts and responses were to this issue • What steps you took to address the situation over time

	<ul style="list-style-type: none"> ○ <i>Moderator to listen carefully, letting the participant describe the journey in their own words and their own time, only interrupting to clarify something or ask for more detail.</i> ○ [If not covered] What, if any, were the points along your journey where the process seemed to be working smoothly? What made this feel this way? ○ [If not covered] What, if any, were the low points along your journey? What made this so negative for you?
<p>Section 3: Drivers and barriers to seeking support</p> <p><i>To explore awareness and expectations of options for resolution overall for tenants in their situation, covering early stages of the resolution journey</i></p>	<p>Thank you for talking me through this journey. Now, I'd like to speak in a bit more detail about what led you to try and resolve the issues yourself/ raise with your landlord, and anything that might have held you back from taking that step.</p> <ul style="list-style-type: none"> • When you first experienced your problem what, if anything, did you know about your rights as a tenant? <ul style="list-style-type: none"> ○ What, if anything, did you know about the support available to private rental sector tenants in your situation? <i>Moderator may probe on advice / redress examples.</i> ○ What about when you first experienced the issue? • And what, if anything, did you know about different complaint systems and how they might help with your situation? <ul style="list-style-type: none"> ○ <i>If not aware...</i> <ul style="list-style-type: none"> ▪ What sorts of support or complaint systems would you expect to be available to you? ○ <i>If tenant was aware, but chose not to use...</i> <ul style="list-style-type: none"> ▪ How, if at all, did you become aware of this system? ▪ How relevant did they seem to your situation at first? Why? <p>A range of redress systems are available to tenants in Scotland who experience issues such as disrepair, eviction notices and the failure to return deposits.</p>

	<p>These include reporting the issue to the local council's enforcement team, appealing a rent increase through Rent Service Scotland as well as Tribunal or Court proceedings against a landlord.</p> <ul style="list-style-type: none"> • What is your reaction to hearing about these different options available to tenants in your situation? <ul style="list-style-type: none"> ○ What, if anything, is surprising? Why? ○ What impact, if any, would knowing about these have had on the steps you took? <p><u>For those who did not raise issue with landlord, and attempted to resolve issue themselves:</u></p> <ul style="list-style-type: none"> • What prompted you to start trying to resolve the issue independently? <i>Moderator may prompt on online research, failure of alternative approaches, actions from landlord (e.g. eviction notice).</i> <ul style="list-style-type: none"> ○ How did you decide that this solution was relevant to your situation? ○ What were your expectations of this solution? ○ Did you consider any other forms of solution? Why / why not? ○ How helpful was this? Why / why not? • At this stage, how aware were you of formal redress processes (e.g. local council , tribunals, courts)? <ul style="list-style-type: none"> ○ What had you heard about these? Where? • What were your thoughts and feelings about taking the first steps when seeking a resolution [i.e. informal/online/family and friends]? <ul style="list-style-type: none"> ○ What were your expectations of this resolution? ○ What, if anything, made you feel hopeful or comfortable at this stage? ○ What, if anything, made you feel concerned at this stage? • What, if anything, put you off or delayed you from taking these first steps? <i>Moderator may probe on lack of awareness about where best to get information, lack of confidence in outcomes, expectations about how difficult or time-consuming it would be, fear of retaliatory action from landlord.</i>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"> ○ What, if anything, helped to overcome these barriers for you? ○ What other support at this stage would have been helpful for you? • How relevant, if at all, did this feel to your situation? Why? <ul style="list-style-type: none"> ○ What, if anything, did you hear about their relevance to your situation as part of the solution that you attempted? ○ How hopeful would you be that this would have benefitted you in your situation? Why? • What was the outcome of coming to resolution yourself? <ul style="list-style-type: none"> ○ What steps did you take after that? Why? ○ What impact, if any, did this have on your housing issue? ○ How far did you feel your issue was resolved? Why/Why not? <p><u>For those who raised issue with landlord, but were not satisfied with outcome:</u></p> <ul style="list-style-type: none"> • What prompted you to raise the issue with your landlord? <ul style="list-style-type: none"> ○ How did you decide that this solution was relevant to your situation? ○ What were your expectations of this solution? ○ We know you were recruited because you did not take any formal types of resolution (e.g. seeking formal advice, redress). Did you consider any other forms of resolution that you did not do in the end? (e.g. getting formal advice/ redress? Why? • What were your thoughts and feelings about taking the step to raise the issue(s) with your landlord/ letting agency? <ul style="list-style-type: none"> ○ What were your expectations of this resolution? ○ What, if anything, made you feel hopeful or comfortable at this stage? ○ What, if anything, made you feel concerned at this stage? • What, if anything, put you off or delayed you from taking these first steps? Moderator may
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p><i>probe on lack of awareness about how to approach the situation, lack of confidence in outcomes, expectations about how difficult or time-consuming it would be, fear of retaliatory action from landlord.</i></p> <ul style="list-style-type: none"> ○ What, if anything, helped to overcome these barriers for you? ○ What other support at this stage would have been helpful for you? <ul style="list-style-type: none"> • How relevant, if at all, did this feel to your situation? Why? <ul style="list-style-type: none"> ○ What, if anything, did you hear about their relevance to your situation as part of the solution that you attempted? ○ How hopeful would you be that this would have benefitted you in your situation? Why? • What was the outcome of coming to resolution yourself? <ul style="list-style-type: none"> ○ What steps did you take after that? Why? ○ What impact, if any, did this have on your housing issue? ○ How far did you feel your issue was resolved? Why/Why not? <p><u>Awareness of redress:</u></p> <ul style="list-style-type: none"> • How aware were you of redress/complaint systems available to tenants in your situation? <ul style="list-style-type: none"> ○ [if aware] How did you become aware of them? ○ What, if anything, was mentioned when you sought advice? ○ What would you expect to be available to you in terms of redress? Why? • What, if anything, might have led you to consider using one of these systems? <ul style="list-style-type: none"> ○ What would you want to know about these systems? ○ What would the process of using these systems look like to be more attractive to you? ○ What outcomes/results would you need to feel were possible? • What, if anything, would have put you off or delayed you from using one of these systems? <p><i>Moderator may probe on lack of awareness, lack of confidence in outcomes, expectations about how</i></p>
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p><i>difficult or time-consuming it would be, fear of retaliatory action from landlord.</i></p> <ul style="list-style-type: none"> ○ What, if anything, would have helped to overcome these barriers for you? ○ What other support at this stage would have been helpful for you?
<p>Section 4: Deep dive on experiences of seeking resolution</p> <p><i>To explore experiences of resolution pathways in depth, surfacing key challenges and gaps in the process for tenants</i></p>	<p>Thank you for talking me through your first steps. Now, I'd like to hear more about how the process of seeking resolution went for you.</p> <p>Reflecting on your experiences of seeking resolution, what three words come to mind?</p> <p>Why?</p> <p>How easy or difficult was the process of seeking resolution?</p> <ul style="list-style-type: none"> ○ How easy to understand was it? ○ How easy to push the process forward was it? • What, if anything, did you worry about when going through the process? <ul style="list-style-type: none"> ○ What impact, if any, did it have on your relationship with your landlord? ○ What impact, if any, did it have on you personally? <i>Moderator may probe on emotional effect, confidence about staying in home</i> • What was your experience like at each stage of the process? <ul style="list-style-type: none"> ○ Which stages were the smoothest? Why? ○ Which were the most challenging? Why? • Thinking back, what did you need (e.g. support, information) did you need at each stage? <ul style="list-style-type: none"> ○ Did you receive this? ○ What, if anything, was missing? • What was the eventual outcome of this process? <ul style="list-style-type: none"> ○ How satisfied were you with this? ○ What impact did this have on your life and housing situation? ○ How long did this process take? What was the impact on you while you were waiting? ○ What, if anything, were you unsatisfied with? • What, if anything, would you personally do differently if you were going through this process again?

	<p>For tenants who experienced a rent increase:</p> <ul style="list-style-type: none"> • How did this impact your living situation? • How would you describe the changes, if any, you experienced with the increase? <i>Moderator to explore impact on finances, essentials, non-essential purchases, social impact, relationships, etc</i> • [If not covered] What options, if any, were you aware of for someone in your situation to get support? • How did you respond to the rent increase? (For example negotiated with landlord, searched for new housing)
<p>Section 5: What could be improved</p> <p><i>Exploring how resolution could better serve tenants going forward</i></p>	<p>Thank you for running through your experiences. Now, I'd like you to think about what could be improved.</p> <p>What one change would you make to the resolution process? Why? <i>Moderator to probe on specific aspects mentioned by participant to move beyond raising awareness to explore improvements further along the process</i></p> <ul style="list-style-type: none"> ○ What difference would this make to your own experience? ○ What difference would this have on your life now? <ul style="list-style-type: none"> • What other changes to the process would have made a difference in your situation? <i>Moderator may probe on stages where the tenant experienced difficulties, on concerns with outcome.</i> <p>Research shows that many tenants who experience serious issues with their home do not seek out formal advice. What else could be done to encourage tenants to seek formal advice in this situation? <i>Moderator may probe on raising awareness, more robust rights for tenants / more likely to get positive outcomes, making processes easier.</i></p>
<p>Section 6: Wrap-up and close</p>	<p>Thank you very much for answering all of our questions. Before we wrap up, I have one final question for you.</p>

	<ul style="list-style-type: none">• What one piece of advice would you have for somebody who is having the same problem that you experienced with your home?
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------