

Briefing: Cost of Living (Protection of Tenants) (Scotland) Bill

October 2022

Key messages from Universities Scotland on Cost of Living (Protection of Tenants) (Scotland) Bill in lieu of its publication. This briefing has been written in expectation that the Bill will cover university halls of residence and Purpose Built Student Accommodation (PBSA) and we would like to draw attention the following to Members:

- **Universities have acted in the student interest.** Rates for university-owned halls of residence are already fixed for 2022/23, including bills, and will not be adjusted in-year in light of rising cost pressures. Universities are absorbing this in 2022/23 to shield students. This applies until summer of 2023.
- **Duration of a freeze.** However, if a rent freeze were extended beyond six months (six months [October to March] was the indicative time period as in the First Minister’s unveiling the Programme for Scotland) preventing a revaluation of prices for academic year 2023/24, this could make university-run accommodation – which unlike wider private rental includes a wide range of services and staffed support - financially unviable, put jobs at risk and further reduce supply.
- **Careful of unintended consequences.** The current shortage of student accommodation in the private rental market is, at least in part, due to private landlords opting not to let to students. This is an unintended consequence of legislative measures aimed at protecting tenants’ rights but has created market shifts, reducing availability and driving up costs. Care needs to be given, particularly given the rapid pace intended for the passage of this Bill, that this situation is not exacerbated. Anecdotally, we are aware that PBSA providers are reluctant to enter the market in regions, despite securing planning permissions.
- **Evictions.** We understand the desire to protect tenants against evictions. However, the legislation must retain universities’ power to remove students from accommodation where they pose a risk (violent or sexual) to other students. This issue is particularly acute in the highly communal model of living that is university halls an PBSA.
- Additionally, where the end period of a university-managed contract for student accommodation is reached (usually a nine-month contract), the university must be able to ask the students to depart on the terms agreed. Losing this contractual power would prevent universities from honouring contracts with the next annual intake of first-year students. It would also harm the revenue-generating activity from conferences and events over the summer, which is vital to address the under-funding of university teaching and research budgets.
- **A longer-term strategy.** Universities Scotland and institutions are working with the Scottish Government on a strategy for student accommodation, which will address some of the longer-term challenges not directly linked to rising energy costs and high inflation. That is the means to address more systemic issues with student accommodation. Not this emergency Bill with its highly limited opportunity for scrutiny.

Universities Scotland, Monday 3 October 2022

ENDS