

Important Information about Trafalgar Housing Associations Tenancy Agreements

Model Scottish Secure Tenancy Agreement from 01 August 2026

The Scottish Government has introduced a new Model Scottish Secure Tenancy Agreement for all social landlords from **1 August 2026**. This model tenancy agreement takes into account the following provisions coming into force during 2026:

- Part 2 (Section 22) of the Domestic Abuse (Protection) (Scotland) Act 2021 - termination of tenancies in cases involving abusive behaviour from 1 August 2026
- Section 49 of the Housing (Scotland) Act 2025 – qualifying period for succession from 1 August 2026
- Section 50 of the Housing (Scotland) Act 2025 - delivery of notices from 1 August 2026
- Regulation 4 of the Investigation and Commencement of Repair (Scotland) Regulations 2026 (Awaab's Law) from 6 October 2026

Domestic Abuse and Tenancy Rights

From **1 August 2026**, all social landlords such as **Trafalgar Housing Association** will have new powers to help victim-survivors of domestic abuse remain safely in their homes (where appropriate and safe to do so). In certain circumstances, Trafalgar HA may apply to the court to:

- End the tenancy rights of a tenant, including a joint tenant, who has behaved abusively.
- Transfer the tenancy to the victim-survivor.

Any decision will be made by the court, which must be satisfied that the legal requirements have been met.

These changes are designed to:

- ✓ Place accountability on the perpetrator rather than the victim-survivor.
- ✓ Help prevent homelessness among victim-survivors.
- ✓ Allow children to remain in their home, school and local community where it is safe to do so.
- ✓ Support a victim-centred approach to housing and tenancy management.

Changes to Succession Rights

Succession is the process of taking over the tenancy of a property you live in after the tenant has passed away. From **1 August 2026**, you may qualify to succeed to a Scottish Secure Tenancy if:

- You were living in the property when the tenant died; and
- You have lived there with Trafalgar HA's permission for at least **6 months** (the qualifying period).

What's changed?

The qualifying period has reduced from **12 months to 6 months**.

Please note that all other succession rules continue to apply. Living in the property does not automatically mean you will be entitled to take over the tenancy.

Rent Increase Notices

From 1 August 2026 Trafalgar HA can now deliver rent increase notices by **email** in certain circumstances, in addition to existing methods of communication.

Damp and Mould Repairs (Awaab's Law)

New repairs related requirements, often referred to as **Awaab's Law**, come into force on **6 October 2026**. These new requirements mean landlords must within specified timescales:

- Investigate reports of damp and mould.
- Provide tenants with written information about the outcome of investigations.
- Begin any necessary repair work.

These changes aim to ensure that damp and mould issues are identified and addressed as quickly as possible, helping to keep homes safe and healthy.

What Do You Need to Do?

You do not need to take any action at this time.

These changes are intended to:

- Strengthen / update tenant protections.
- Improve support for victim-survivors of domestic abuse.
- Update succession rights.
- Introduce new requirements for dealing with damp and mould issues.

We simply want to ensure that all tenants are aware of the changes.

Need More Information?

If you have any questions, please do not hesitate to contact us:

 **0141 952 4676**

 **HM@trafalgaha.co.uk**

You can also seek independent advice from:

- Citizens Advice Scotland
- Shelter Scotland
- Your own independent legal advice service