

FORM AT3 (T): FOR USE ONLY BY A TENANT

ASSURED TENANCIES

AT3 (T)

HOUSING (SCOTLAND) ACT 1988

Application by a tenant to a Private Rented Housing Committee for a determination of the terms of a statutory assured tenancy and, if appropriate, rent for that tenancy under Section 17(3) of the Housing (Scotland) Act 1988.

IMPORTANT: INFORMATION FOR TENANT(S)

This form should be used by a tenant who wishes to refer to a Private Rented Housing Committee a Notice ATI (L) served on him by his landlord to propose a change in the terms of a tenancy agreement for the house at the address in part 1. You should read this application form carefully. Complete the form as fully as you can. Insert 'NOT KNOWN' where the information is not available. Where boxes are shown tick only one. It would be helpful if you would type your answers or use BLOCK LETTERS in BLACK INK and send 2 copies of the form if possible, to the Clerk to the Private Rented Housing Committee.

This form must be with the Clerk to the Committee within 3 months of the date on which your landlord served on you Notice ATI (L).

Part 1. Address of House being let.

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Part 2. Name, address and telephone number of landlord.

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Name, address and telephone number of landlord's agent (if any).

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Part 3. Name and telephone number of tenant(s).

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Name, address and telephone number of tenant's agent (if any).

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Part 4. Details of House

Say what kind of house it is, such as a detached or terraced house or flat or part of a house. (If a flat give location in stair eg IF1.)

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Give number and type of rooms (eg bedroom, living room).

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Is there any accommodation or facilities shared with another tenant? If yes, give details. No Yes

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Is there any accommodation or facilities shared between tenant and landlord? If yes, give details No Yes

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Does the tenancy include a garage, garden, yard or any other separate building or land? If yes, give details. No Yes

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Part 5. Services

Are services provided under the tenancy (such as cleaning, heating or hot water supply)? If yes, give details. No Yes

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What charge is made for these services at present?

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Part 6. Furniture

Is furniture provided under the tenancy? If yes, please attach a list of the furniture provided. If you do not have one prepare one and attach it to this form.

No Yes

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Part 7 Improvements

During the present or any former tenancy have you or has any previous tenant carried out any improvement or replaced fixtures, fittings or furniture for which you are (or he was) not responsible under the terms of the tenancy? If yes, give details including the costs (actual or estimated) and the approximate date on which the work was carried out.

No Yes

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Part 8 Disrepair

Is there any disrepair or other defect to the house or to any fixtures, fittings or furniture due to a failure to comply with the terms of the present or any former tenancy? If yes, give details.

No Yes

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Part 9. I apply for the proposed terms of the statutory assured tenancy [and the proposed adjustment to the rent]* to be determined by a Private Rented Housing Committee.

Signed
[tenant(s)] [tenant's agent]*

In the case of joint tenants all tenants should sign.

.....(date)

* delete as appropriate

Part 10. In submitting your application you should attach copies of certain documents which will be required by the Private Rented Housing Committee to help it make a determination. You should attach the following:-

- a. A copy of your existing tenancy agreement or written document setting out the terms of the tenancy.
- b. A copy of Notice AT1 (L) served on you by your landlord (including any attachments to that form).
- c. If your landlord provides furniture, a list of the furniture.
- d. If your tenancy is a short assured tenancy a copy of Notice AT5 served on you by the landlord.

Any documents which you send with this application will be returned to you as soon as possible.

Tick each box to indicate that you have attached the relevant form. If you do not have a copy of any of these forms, consult your Solicitor, local Citizens Advice Bureau or Housing Advisory Centre.

Please send this application form to the Clerk to the Private Rented Housing Committee for your area (see telephone book for the address).

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NOTES FOR TENANTS TO BE READ WITH FORM AT3 (T). THESE NOTES ARE FOR GUIDANCE ONLY AND ARE NOT A DEFINITIVE INTERPRETATION OF THE LAW. THE NOTES GIVE ADVICE ON THE CIRCUMSTANCES IN WHICH AN APPLICATION CAN BE MADE TO THE PRIVATE RENTED HOUSING COMMITTEE.

WHEN TO USE THIS FORM

1. You should use this form to make an application to the Private Rented Housing Committee only if (a), (b) and (c) below **all** apply.
 - a. Your landlord has served on you a Notice AT1 (L) proposing new tenancy terms (and also perhaps a new rent to reflect those terms);
 - b. No more than 3 months have gone by since the date on which Notice AT1 (L) was served on you; and
 - c. You wish the Private Rented Housing Committee to make a determination on the tenancy terms, and new rent if one is proposed.
 2. **Do not** use this form if:-

your landlord has served on you a Notice AT2 proposing an increase in rent only. If this has occurred you should apply to the Private Rented Housing Committee using form AT4.
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IF YOU DO NOT APPLY TO THE COMMITTEE

3. If you do not apply to the Private Rented Housing Committee within the 3 month time limit, the terms proposed by your landlord (and new rent if one is proposed) will take effect from the date specified in the Notice AT1 (L) served on you.
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NEGOTIATING WITH YOUR LANDLORD

4. If you do not find acceptable the new terms (and new rent if one is proposed) being proposed by your landlord it might in the first instance be helpful to discuss the matter with him before making a decision on whether or not you should refer the matter to the Private Rented Housing Committee.
 5. If you decide to apply to the Private Rented Housing Committee and it subsequently makes a determination of tenancy terms and/or rent remember that you and your landlord are free to set aside the determination if you agree on different terms and/or rent. However, unless you **both** agree to such a variation, the terms and rent determined by the Private Rented Housing Committee will apply.
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NEXT STEPS

6. If you apply to the Committee, the Secretary to the Committee will acknowledge your application and will write to you asking if you wish to have the matter dealt with at a hearing or whether you wish to make written representations.

FURTHER GUIDANCE

7. If you are uncertain about the kind of tenancy you have, or your rights, or uncertain about how to complete this form you should consult a solicitor or any organisation which gives advice on housing matters.

8. Further guidance on assured and short assured tenancies is available in “Assured Tenancies in Scotland – A Guide for Landlords and Tenants”. Copies are obtainable from any office of the Private Rented Housing Committee, Citizens Advice Bureau or Housing Advisory Centre or any office of the Rent Registration Service.

9. The Private Rented Housing Committee is an independent body which does not charge a fee. A leaflet setting out the procedures of the Private Rented Housing Committee is available from any of the organisations listed in paragraph 8.
