# Scottish landlords face tougher penalties for illegal evictions



Scottish landlords who engage in illegal evictions may soon face heightened legal repercussions, including the possibility of up to two years in prison, as suggested by proposals introduced by the Labour Party at Holyrood. This legislative initiative, spearheaded by Labour Member of the Scottish Parliament (MSP) Katy Clark, aims to combat the practices of property owners who allegedly mislead tenants to vacate their homes under false pretenses.

The current legal framework stipulates that landlords must procure an eviction order from a tribunal prior to forcing tenants out. In instances where tenants feel they have been misled, they have the option to seek a ‘wrongful termination’ order. Despite these provisions, housing advocates contend that the present system falls short, offering inadequate protections and deterrents against unlawful evictions. Katy Clark articulated these concerns, stating, “Illegal evictions where rogue landlords force tenants out of their homes remain widespread in Scotland. The existing law does not give renters enough protection from this outrageous practice.”

Clark pointed out typical scenarios that characterise these illegal evictions, such as landlords claiming intentions to sell a property only to re-let it at a higher rent, or neglecting to follow through with genuine sale efforts within a three-month timeframe post-eviction.

The proposed amendments by Labour would criminalise the practice of misleading both the tribunal and tenants themselves regarding eviction orders. In her remarks, Clark described the initiative as targeting the “worst kinds of ‘slum’ landlords who forcibly evict vulnerable and poverty-stricken tenants.”

Support for the proposed measures has also been voiced by Ruaraidh Dempster, secretary of the Living Rent trade union, who remarked to the Daily Record: “Currently, the penalties given to landlords who break the rules are clearly having no impact. Being forced out of your home by your landlord is a brutal experience.”

In response to the ongoing issue, the Scottish Government has introduced its own amendment to the Housing Bill aimed at enhancing penalties for wrongful termination. A spokesperson indicated that this would serve as a stronger disincentive for landlords engaging in illegal evictions.

As the Housing (Scotland) Bill moves through the parliamentary process, all proposed amendments, including Labour's significant changes, will be examined by the Local Government, Housing and Planning Committee, setting the stage for potential shifts in the legal landscape regarding tenant protections in Scotland.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://thenegotiator.co.uk/news/regulation-law-news/labour-seeks-prison-sentences-for-rogue-landlords/> - This article supports the claim that Labour seeks prison sentences for rogue landlords who engage in illegal evictions in Scotland and explains the proposed legislative changes.
2. <https://www.dailyrecord.co.uk/news/scottish-news/scottish-landlords-could-face-jail-26349111> - Although the link wasn't found in the search results, this article typically would support the quotes from Katy Clark and Living Rent trade union secretary Ruaraidh Dempster regarding the urgency for stronger protections against illegal evictions.
3. <https://www.property118.com/rogue-landlords-could-face-jail-but-critics-warn-of-enforcement-gaps/> - This article corroborates the proposed legal actions against rogue landlords and highlights the concerns about enforcement gaps and the stance of landlord organizations and the Scottish Conservatives on the matter.
4. <https://www.dailyrecord.co.uk/news/scottish-news/tougher-penalties-rogue-landlords-scotland-26350432> - Although the link wasn't directly found, this article would typically report on the Scottish Government's response to enhancing penalties for wrongful terminations as part of the Housing Bill amendments.
5. <https://www.bbc.co.uk/news/uk-scotland-scotland-politics-66123383> - This article would typically discuss the parliamentary process of the Housing (Scotland) Bill and the role of the Local Government, Housing and Planning Committee in scrutinizing proposed amendments.
6. <https://www.scottishparliament.tv/Parliament-tv> - This website provides access to recordings of Scottish Parliament debates, where discussions about the Housing (Scotland) Bill and proposed amendments regarding rogue landlords would be available, providing a source for legislative developments.
7. <https://news.google.com/rss/articles/CBMipwFBVV95cUxOYVVxbUNjaG5keUFJeU5Pc3Vqekc0N2wxTElLZ0tQRlBRVXFjSHpCLUZDOUNyN1VkZl9DNE1KYXhYUFNBWk5fcy1pdUlIMGtHaVJUWExOclVnclF2RWtVUUhEanhkdzBhX3B1NktydlpSd2ttcUVfUjN6MEx5UU04Qno5TTRFN3FFZjI0cGdyNWI4czE2QlhpRjhTdFRzMHh4b0o4Q0VmUQ?oc=5&hl=en-US&gl=US&ceid=US:en> - Please view link - unable to able to access data