Rights of Landlords and Tenants Protected by Law by Ann Clark

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There are certain responsibilities and obligations on the landlords and tenants when putting their Edinburgh property for rent. These responsibilities and obligations are in terms of the duties which they must perform in relation to their property to rent in Edinburgh. Hence, in order to perform them fully the law has protected certain rights which are discussed as follows.

Legal rights of the landlord

The landlord of the Edinburgh property, under the Rent Act of 1977 can seek possession of the property in case the tenant has caused any damage to the property. Moreover, the landlord is also allowed in certain scenarios to gain access to the property in order to inspect it. This can be done as long as a 24 hours written notice is given to the tenant.

Legal rights of the tenant

The law has outlined certain repairs of the rented property which must be carried out by the landlord in order to ensure the security of tenants. In case the landlord fails to carry out these obligatory repairs, the law allows the tenant to carry out the repairs himself and also deduct the costs from the rent.The landlord must be given ample warning and opportunity to perform the repair, if he still fails to do so, then the tenant can take repairs in his hands.

Also, as a tenant, you have the right to 'quiet enjoyment' of your property. This means without any kind of harassment from the landlord or any other person acting on the behalf of the landlord. You must not take it to mean that you have the right to sit in silence. However, it means that you have the right to a peaceful existence without any kind of undue disturbance. Harassment of any kind is a criminal offence under the Protection from Eviction Act 1977. In extreme circumstances it may result in the landlord being fined, or even imprisoned. This is a very common phenomenon when people rent out their property. Hence it is important that we illustrate the forms which harassment can take.

There are a number of reported cases where the landlords change the locks of the rented property without giving any kind of warning or new keys to the tenants; where the landlord enters the rented property without seeking any kind of permission from the tenant or enters whilst the tenant is out; where the landlord tampers with the possessions and mails of the tenant; cuts off the utilities without informing or any adequate reason; does not allow your friends and family to enter or causes any kind of physical or verbal abuse. The landlord by no means has any right to do this, if he does, then it is a clear scenario of harassment and as a tenant you have every right to take action.

Importantly, you must keep a record (if any) of when and where you were harassed by your landlord.

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