

## SPSO decision report

**Case:** 201105087, Renfrewshire Council  
**Sector:** local government  
**Subject:** policy/administration  
**Outcome:** not upheld, no recommendations

### Summary

Mr C and his wife own several properties. He said that they had voluntarily registered them with all the appropriate local authorities when legislation to register private landlords was first introduced. While fully intending to re-register with the council, they failed to do so, and were charged a late application fee. The guidance says that a late application fee can only be applied after two requests for an application have been issued. Mr C was unhappy that the council relied on two email reminders, which he said were not received. He believed the late fee charge should be cancelled.

We did not uphold Mr C's complaints. Our investigation found that local authorities may interpret the legislation and implement the Private Landlord Registration scheme as they see fit. There is no requirement on them to remind landlords to re-register. The scheme is run as an online system and requires landlords to provide an email address when they register. In this instance, the council chose to communicate with landlords using the email address that they provided when they registered. This is a discretionary decision that the council were entitled to make, and we found no evidence of anything going wrong in this process. In relation to Mr C's assertion that the emails were sent to the wrong address, we found that they were sent to the addresses he and his wife had provided.