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APRIL 2018

ESSENTIAL ADVICE FOR LANDLORDS

How to protect deposits and avoid financial penalties

How to protect a deposit

If a landlord takes a deposit from their tenant, the deposit must be transferred to an approved tenancy deposit scheme within 30 working days of the tenancy start date. This is required under the Tenancy Deposit Schemes (Scotland) Regulations 2011. Should a landlord fail to protect a deposit, a tenant can apply to the Sheriff Court for financial sanctions of up to three times the amount of the deposit against the landlord.

The tenancy deposit schemes are run by independent companies which are approved by the Scottish Government. Currently there are three approved schemes:

- MyDeposits Scotland
- Safe Deposits Scotland
- Letting Protection Service Scotland

THE SCHEMES ARE FREE TO USE



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A LANDLORD SHOULD

- **Register as a user with their chosen tenancy deposit scheme**

You can register through the scheme's website or by phoning their office

- **Add the tenancy details to your user account**

The scheme will need to know relevant details about the deposit.★

- **Transfer the deposit**

The deposit can be transferred to the scheme by online banking, debit card or cheque

- **Provide the tenant with key information**

After transferring the deposit, the Regulations also require that you provide the tenant with particular key information:

- Property address
- Your registration status with the local authority
- Total deposit paid and the date you received it from the tenant
- Date you paid the deposit to the tenancy deposit scheme
- Name and contact details of the tenancy deposit scheme
- Circumstances in which all or part of the deposit may be deducted at the end of the tenancy, with reference to the terms of the tenancy agreement.★



To comply with the Regulations and avoid financial sanctions

(★ for example, tenancy address, tenant's name and contact details, deposit amount, etc.)



(★ for example, cleaning, rent arrears, etc.)

How to repay a deposit

When the tenancy comes to an end, you should log in to the scheme's website or phone their office to confirm the tenant has moved out and how the deposit should be repaid.★

The scheme will contact the tenant to ask if they agree with the breakdown you have provided. If you and the tenant agree, the scheme will repay the deposit within five working days.

Get more information on [Tenancy deposits](#)

(★ for example, if the full amount should be repaid to the tenant, or if you want any paid to you)

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