TDS Northern Ireland

How TDSNI approaches disputes over cleaning

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How TDSNI approaches disputes over cleaning

Introduction

Here are some pointers from TDS Northern Ireland on how we approach claims for cleaning. We hope that you will find them informative and helpful in deciding if you want to proceed with sending a dispute to us.

Please note that this document is for guidance only it is not intended to guarantee when an award will be made. Each dispute is different and the actual award made will be based on our interpretation of the specific evidence presented to us.

Key principles concerning cleaning

These key principles guide our approach to dealing with disputes about cleaning. However every case has to be reviewed on its merits.

1. We look for evidence that the property was less clean at the end of the tenancy than the start. We will not make an award solely on the basis of an obligation in the tenancy agreement.

2. The best evidence of condition at the start of a tenancy is a comprehensive Inventory and Schedule of Condition. It must mention cleanliness, preferably in a schedule. Please see the following example of a Schedule of Condition which can be used to explain the property's condition. Note that it includes separate references to carpets, curtains etc.

3. If the check in does not mention cleanliness, we will not assume the property is clean. We do not regard a general statement that the property is in 'good condition unless otherwise stated' as including cleanliness.

4. If there is no check in report, we will consider other evidence such as a detailed invoice for cleaning at the start of the tenancy.

5. We will consider any amendments made by the tenant to the check in report at the start of the tenancy.

6. Photographs and video evidence are generally of little value in support of cleaning claims, other than for individual items such as ovens or other kitchen appliances. Please see our guidance on **The use of photographs, videos and DVDs** for more information.

7. The best evidence of condition at the end of a tenancy, for the benefit of both parties, is a comprehensive check out report. This is most persuasive if it has been completed clearly with reference to the check in report and includes a schedule as above.

8. Invoices or quotes are helpful to support a claim, although TDS is not bound to accept the full amount claimed. They should be as detailed as possible. If it is clear that the work undertaken is no more than was necessary to restore the property to its pre-tenancy condition, we are likely to make a full award.

9. Where the work described is more than was necessary, or did not take account of deficiencies at check in, any award is likely to be reduced.

10. Where the invoice is not detailed (for example to include minimum call out charges or

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parking/congestion charges if applicable) and appears too high for the work required, we are likely to reduce the award.

11. Where we have no invoice or quote, we will use our own judgment to determine if the amount claimed is appropriate. We use sources such as the internet, or our experience of similar cases in a given region and take into account factors such as the size of the property.

12. We do not regard fair wear and tear as relevant in cleaning claims

Example schedule of condition

The key to any successful claim for cleaning is a comprehensive check in inventory and check out report. Please note that this is an example of a Schedule of Condition (i.e. a summary) that can be used as part of a check in report. It does not in itself avoid the need for a properly completed check in report.

SCHEDULE OF CONDITION

Flat 1, The Avenue, Anytown AB1 2CD — 17TH April 2015

Notes	Three bed, one bath, fully furnished maisonette. All switches and sockets unless otherwise noted in a standard white plastic fitting.	
Cleanliness	Property has been cleaned to a professional standard. There have been workmen in the property since the tenants vacated. WC requires cleaning both upstairs and downstairs. Floor in bathroom requires further cleaning.	
Decoration	Property is in excellent decorative order throughout.	
Flooring	Carpets generally reasonable order. Not professionally cleaned.	
Upholstery	In use, but good order.	
Curtains	Not professionally cleaned.	
Linen	Used, but clean order.	
Contents	Tidy.	
Windows	Cleaned to interior.	
Lighting	In working order.	
Garden	In good seasonal order.	
Meters	Gas 0645 S291885	Electricity 6132 F81A16248
Keys: Sets:	3	1 x brass Chubb key 1 x brass Yale key, Additional front door key found, left in kitchen

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