



WHO SHOULD READ THIS?



Tenants



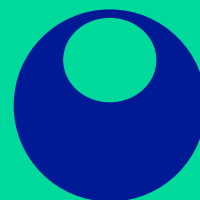
Agents



Landlords

LANDLORD'S GUIDE

HOW YOU REPAY THE DEPOSIT TO YOUR TENANT AT THE END OF THE TENANCY



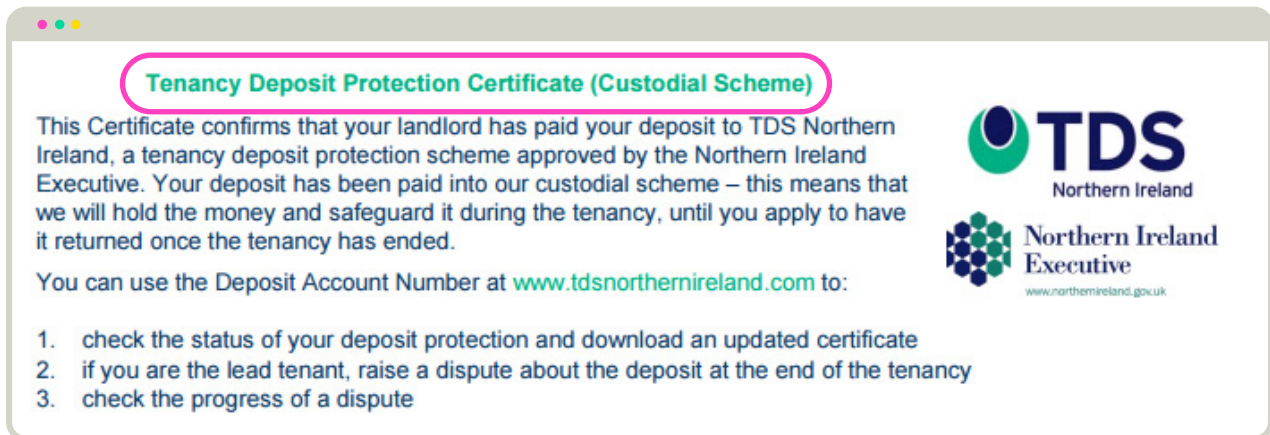
**TENANCY
DEPOSIT
SCHEME**
NORTHERN IRELAND

CUSTODIAL SCHEME

This quick guide sets out what landlords and tenants need to do at the end of the tenancy to repay a deposit which is held by TDS Northern Ireland.

To check if your deposit is held by the custodial scheme, check your Deposit Protection Certificate.

The title at the top of your Certificate will tell you if your deposit is held by the custodial scheme:



Tenancy Deposit Protection Certificate (Custodial Scheme)

This Certificate confirms that your landlord has paid your deposit to TDS Northern Ireland, a tenancy deposit protection scheme approved by the Northern Ireland Executive. Your deposit has been paid into our custodial scheme – this means that we will hold the money and safeguard it during the tenancy, until you apply to have it returned once the tenancy has ended.

You can use the Deposit Account Number at www.tdsnorthernireland.com to:

1. check the status of your deposit protection and download an updated certificate
2. if you are the lead tenant, raise a dispute about the deposit at the end of the tenancy
3. check the progress of a dispute

TDS
Northern Ireland

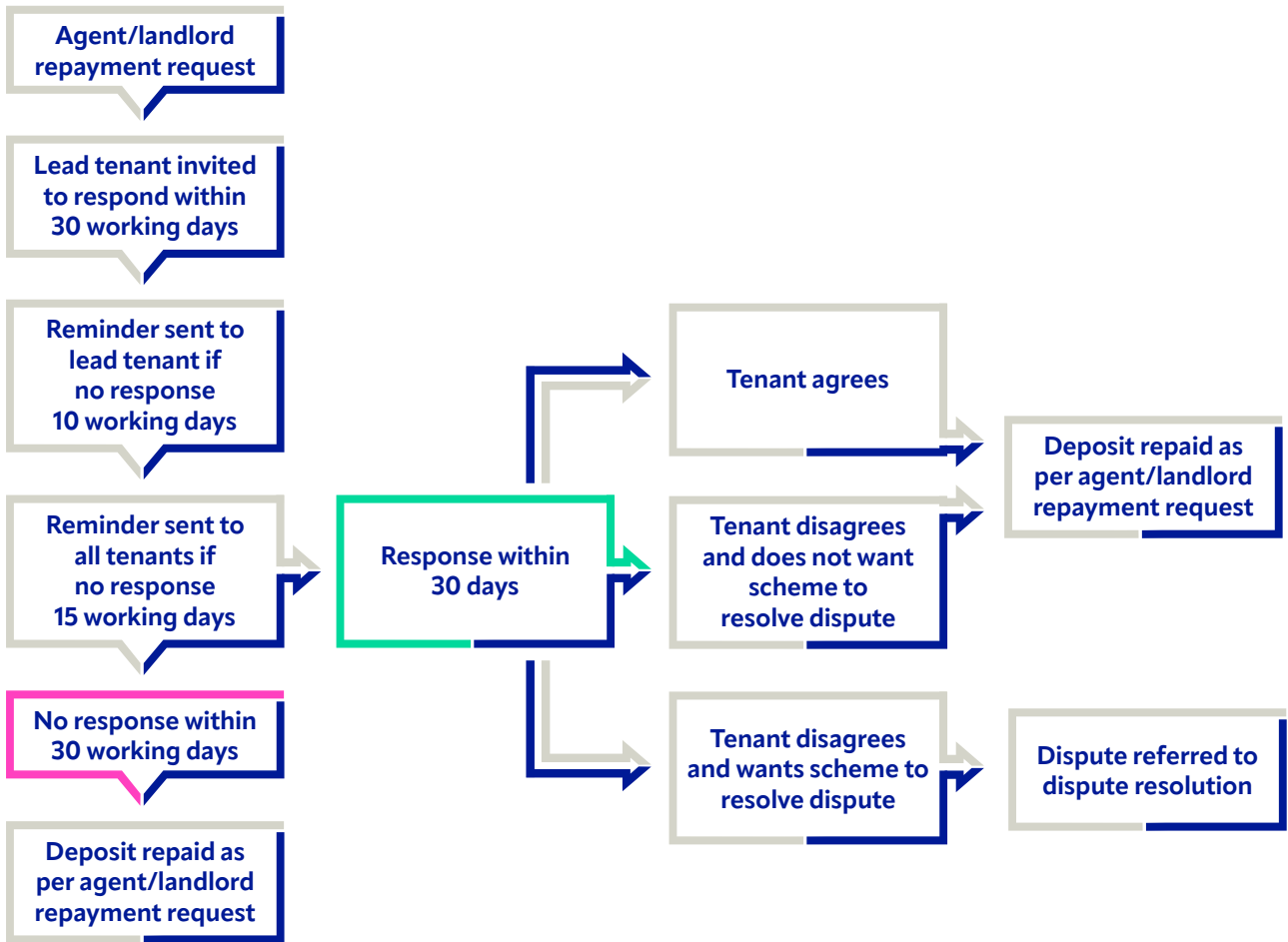
Northern Ireland Executive
www.northernireland.gov.uk



In the TDS Northern Ireland custodial scheme deposits are not repaid automatically as we do not know when a tenancy will end or how much of the deposit should be repaid to the tenant. The agent/landlord needs to tell us this by completing an **online Repayment Request**.

The deposit repayment process started by the agent/landlord

Before starting the repayment process you should speak with your tenant(s) about any deductions you want to make from the deposit for damage, rent arrears, cleaning etc. If you can get agreement from your tenant(s) in advance then this will make the repayment process much quicker for everyone involved.



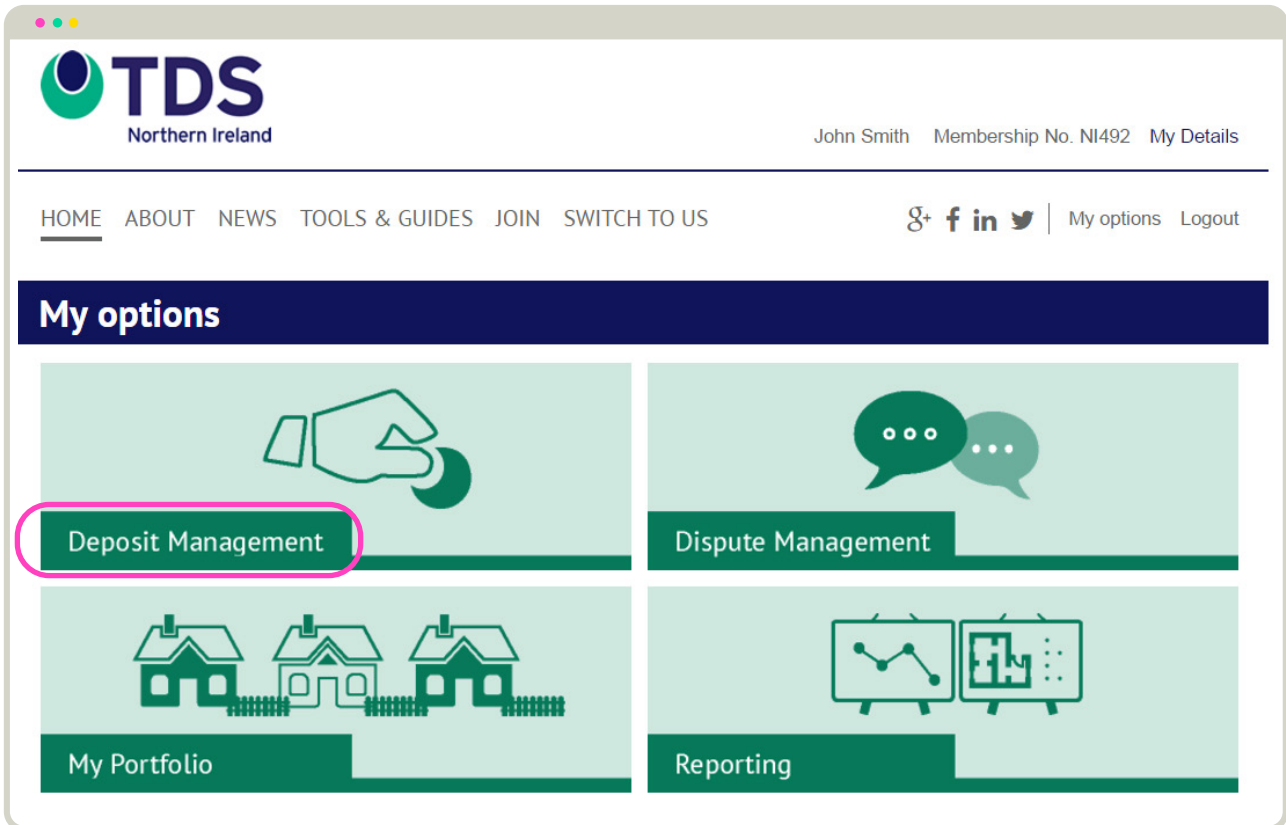
The repayment process usually begins with the agent/landlord setting out how much of the deposit that should be returned to the tenant and how much should be returned to the agent/landlord. This is done in the form of a repayment request via your online TDS Northern Ireland account.

- 1 All tenants are notified of the Repayment Request. The lead tenant will need to respond to the repayment request online.
- 2 If the agent/landlord's repayment request is accepted then TDS Northern Ireland will issue the payments to the parties in accordance with the agreed repayment request, within 5 working days where it holds payment details.
- 3 If the tenant does not accept the repayment request they will be asked to respond with their alternative request for the repayment of the deposit. TDS Northern Ireland will then notify the agent/landlord who will be advised that the deposit is now disputed.
- 4 At this stage the agent/landlord can accept the tenant's request or set out how they want the deposit to be repaid.
- 5 If the parties are still not in agreement after making attempts to resolve the matter, and wish TDS Northern Ireland to deal with the return of the deposit, it will go into the Dispute Resolution process. Once the case enters formal Dispute Resolution, evidence will be requested from all parties. Following a final review of the case, the case will be sent to an adjudicator who will decide how the deposit is to be allocated.

STEP BY STEP

1. Starting the Repayment Process

- The agent/landlord logs into their account at TDS Northern Ireland, and then selects the **"Deposit Management"** screen.



- The agent/landlord views the list of deposits held by the scheme for them (by selecting the **"plus"** sign next to **"Deposits held by scheme"**).
- This will display a list of individual deposits, from which the agent/landlord selects the deposit they want to look at and the clicks the **"View/Edit"** option to see the details.

Deposit Management

[BACK TO MY OPTIONS](#)

search term [Add a new custodial deposit](#)

+ Registered (not paid)	0	£0.00
+ Awaiting payment	0	£0.00
- Deposits held by scheme	1	£1,000.00

Address	Start date	Deposit Held	Tenancy ID	Tenants
99, The Avenue, AB1 2CD	01 August 2016	£1,000.00	NI11577656	2

[View / Edit](#)

- The agent/landlord will see the Deposit Summary page – they then select the option at the bottom of the page for **“Request repayment of deposit”**:

Landlords/agents associated with this deposit

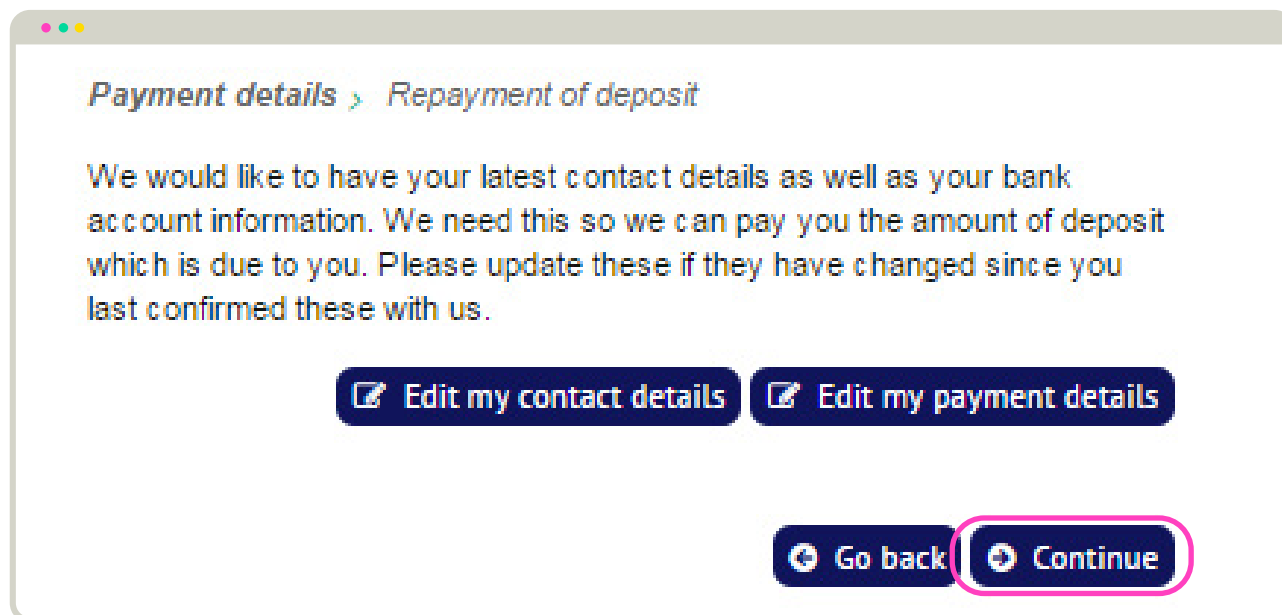
Organisation name	Role	Email	Phone number
John Smith	Primary landlord	john@smith.com	07788 998877

[View tenancy activity](#)
[Download Prescribed Information](#)
[Customise Prescribed Information](#)
[Download Deposit Protection Certificate](#)
[Transfer deposit](#)
[Request repayment of deposit](#)

2. Updating the agent/landlord's bank and contact details

At this stage the agent/landlord should update their contact and bank details as these will be needed when any payments are made once the process has been completed. TDS Northern Ireland needs these even if the agent/landlord will not be claiming any monies at the end of the process (in case we have to return any monies to you for any reason).

- When the details have been updated, the agent/landlord selects **"Continue"**



The screenshot shows a web browser window with a title bar containing three colored dots (red, yellow, green). The page content includes a breadcrumb trail: *Payment details > Repayment of deposit*. Below this, a paragraph of text reads: "We would like to have your latest contact details as well as your bank account information. We need this so we can pay you the amount of deposit which is due to you. Please update these if they have changed since you last confirmed these with us." There are two dark blue buttons with white text and icons: "Edit my contact details" (with a pencil icon) and "Edit my payment details" (with a pencil icon). At the bottom right, there are two more dark blue buttons: "Go back" (with a left arrow icon) and "Continue" (with a right arrow icon). The "Continue" button is highlighted with a pink rounded rectangular border.

3. Updating the tenant's contact details

It is important that we have an up to date email address for the tenant so that we can contact them immediately, and so that the repayment process can progress as quickly as possible.

- The agent/landlord can review the tenant's contact details by selecting the **"View/Edit"** option.
- If the tenant has not yet updated their contact details, the agent/landlord can do this by selecting the "Edit" option.

(If the "Edit" option is not displayed, this means that the tenant has already updated their contact details and the agent/landlord will not be able to amend them).

Tenancy information

It is important that we are able to contact the tenant(s) with your repayment request. Please review and update the tenant(s)' details using the 'View / Edit' buttons below.

Deposit Account Number	NI11577656
Deposit amount	£1,000.00
Deposit status	Deposit held
Property address	99 The Avenue Anytown Countyshire AB1 2CD
Name of landlord	
Name of tenant(s)	Mr. Joe Jones View / Edit
	Mrs. Josy Jones View / Edit


Below this information is the form which lets the agent/landlord enter a breakdown stating who should get what from the deposit (see 4).

4. Telling TDS Northern Ireland what the agent/landlord wants to happen to the deposit

- The agent/landlord enters the tenancy end date (which must be in the past).
- The agent/landlord enters the amount of the deposit to be repaid to the tenant(s).
- This figure is split in equal proportions if there is more than one tenant, although the agent/landlord can edit this split if they wish. The lead tenant can ultimately decide on the split between joint tenants.


Tenancy end date

Please tell us the date the tenancy ended *

01 ▼ August ▼ 2017 ▼ 

Please enter in the fields below how much of the deposit you want to be paid to the tenant(s) and to the agent/landlord. These amounts must match the amount of the deposit held by TDS Northern Ireland, which is £1,000.00.

Amount of deposit to be repaid to tenant(s)

Total amount 

Amount of deposit to be repaid to joint tenants

Mr. Joe Jones

Mrs. Josy Jones

Amount of deposit to be repaid to John Smith

Total amount

[Go back](#) [Continue](#)

The agent/landlord enters the amount of the deposit they want to be returned to them.

- Click **“Continue”**

5. Reasons for any proposed payments to the agent/landlord

You should not complete this form until you are sure that you know the full extent of your claim, as you cannot increase your claim once it has been made.

The agent/landlord enters the amounts they are claiming for each category (cleaning, damage etc).

This form will check that the figures entered by the agent/landlord add up correctly – an error message will be displayed if this not the case. The agent/landlord corrects amounts entered as necessary.

Amount of deposit to be repaid to tenant(s)

Total amount £ 

Amount of deposit to be repaid to joint tenants

Mr. Joe Jones £

Mrs. Josy Jones £

Amount of deposit to be repaid to John Smith

Total amount £

This is for:

Cleaning £

Damage to Property or Contents £

Redecoration £

Gardening £

Rent Arrears £

Other or Unknown £

If any payment is for 'other' please state the reason

Replacement keys

← Go back
Continue →

● Click **"Continue"**

6. Confirming the agent/landlord's repayment request

The next screen shows a summary of the repayment request (which can still be edited by selecting the **"Edit"** option).

The agent/landlord must agree to the scheme rules and also consent to the details of their repayment request being sent to the tenant(s).

- To complete their repayment request, the agent/landlord selects the **"Submit"** option.

Summary

Repayment of deposit

Deposit status	Deposit held	
Tenancy end date	01 August 2017	
Total amount of deposit	£	1000.00
Amount of deposit to be repaid to tenant(s)	£	500.00
- Mr. Joe Jones	£	250.00
- Mrs. Josy Jones	£	250.00
Amount of deposit to be repaid to John Smith	£	500.00
- Cleaning	£	100.00
- Damage to Property or Contents	£	100.00
- Redecoration	£	100.00
- Gardening	£	100.00
- Rent Arrears	£	50.00
- Other or Unknown	£	50.00
- Reason for 'other' payments		
- Agent/landlord	Replacement keys	

Declaration

I consent to TDS Northern Ireland copying this form and any supporting documents to the other party(ies) to the tenancy; to the appointed adjudicator if necessary, and to anyone else involved in resolving a dispute about the deposit.

I acknowledge that I have read and agree to be bound by the TDS Northern Ireland Rules.

Do you agree with the above statement? * I agree I don't agree !

Warning ✕



You must agree to the declaration before submitting your repayment request. Please click "Go back" to return to your repayment request or "Return to My Options" to remove your repayment request to the repayment request

Go back
Return to My Options



Submit
Edit

7. What happens next?

After the repayment request has been submitted, TDS Northern Ireland will:

-  Will notify all tenants of the repayment request - the lead tenant then has 30 working days to respond;
-  Send the agent/landlord a confirmation email confirming details of the repayment request made by them.

8. The lead tenant does not respond to the agent/landlord's repayment request?

-  If the lead tenant does not respond to the agent/landlord's repayment request, they will be sent a reminder after 10 working days.
-  If the lead tenant has not responded to the repayment request after 15 working days, another reminder is sent.

This second reminder is also sent to any other joint tenants

If there is no response after 30 working days, then:

- If the agent/landlord requested all of the deposit to be paid to the tenant(s) TDS Northern Ireland will make payment where it holds payment details for the tenant(s). Where it does not, it will hold the deposit until the tenant(s) contact TDS Northern Ireland.
- If the agent/landlord requested payment of part (or all) of the deposit, payment will be made within 5 working days where it holds payment details.

9. Lead tenant accepts the repayment request

If the lead tenant accepts the deposit repayment request TDS Northern Ireland will advise the agent/landlord of the acceptance and will make payment(s) within 5 working days where it holds payment details.

10. Lead tenant does not accept the repayment request

If the lead tenant does not accept the repayment request they have a choice whether they choose to use TDS Northern Ireland's dispute resolution process.

If the tenant responds advising that they do not wish to use TDS Northern Ireland to resolve the dispute the deposit will be repaid in accordance with the agent/landlord's repayment request. The tenant will need to take legal proceedings to challenge the repayment of the deposit.

If the tenant responds advising that they do wish to use TDS Northern Ireland to resolve the dispute they will make an alternative repayment request. The agent/landlord will be notified of this alternative repayment request.

The deposit is now in **Dispute**, but both parties will be required to continue negotiating for 10 working days in an attempt to reach an agreement. The deposit summary will show:

Deposit status	Repayment requested - parties attempting to reach agreement
Situation	The dispute resolution mechanism is on hold whilst the parties attempt to reach agreement

The agent/landlord should now discuss the matter with the tenant in order to resolve the matter. At any stage in this 10 working day period either party can revise their repayment request.

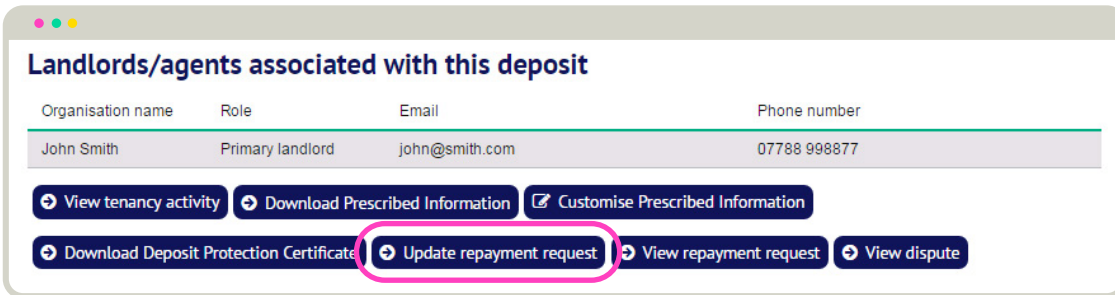


11. Agent/landlord accepts the tenant's alternative repayment request

The agent/landlord can accept the tenant's alternative repayment request by logging back into their account and accepting it. TDS Northern Ireland will then make the revised payments within 5 working days where it holds payment details.

To accept the tenant's repayment request the agent/landlord:

- accesses their deposit summary and selects the option **"update repayment request"**



- selects the option **"I agree to the tenant's repayment request as shown above"**



- the agent/landlord will be shown a warning asking them to confirm their agreement – the agent/landlord selects the option **"I agree"**



12. Agent/landlord does not accept the tenant’s alternative repayment request

The agent/landlord needs to choose one of the following three options.

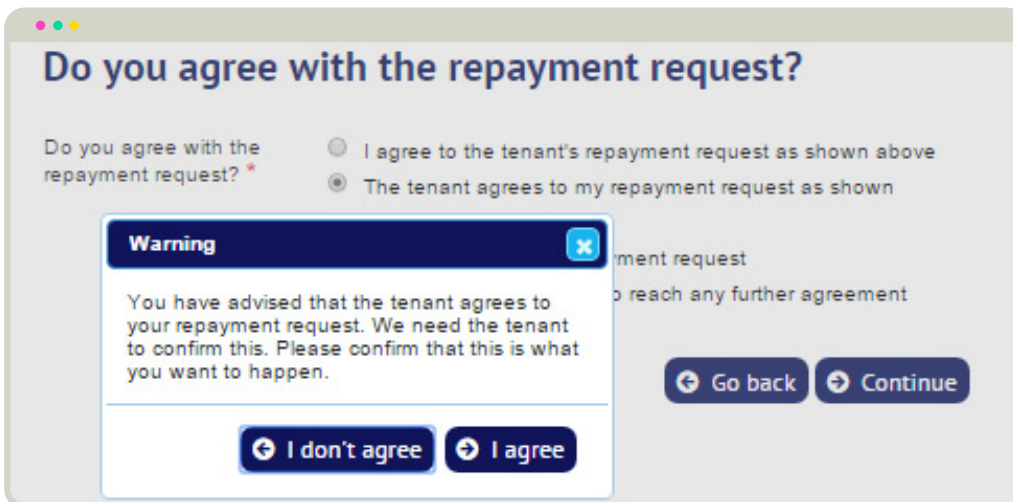
Option 1:

to advise TDS Northern Ireland that the tenant agrees with the agent/landlord repayment request

- The agent/landlord selects the option **“The tenant agrees to my repayment request as shown above”**



- The agent/landlord will be asked to confirm that they understand that the tenant needs to confirm their agreement, and selects the option **“I agree”**.



The dispute will remain 'on hold' for the remainder of the 10 working day period for the tenant to confirm their agreement:

- If the lead tenant confirms their agreement to the repayment request TDS Northern Ireland will advise the agent/landlord of the acceptance and will make payment(s) within 5 working days where it holds payment details.
- If repayment of the deposit is not agreed after 10 working days, TDS Northern Ireland will contact the tenant to confirm whether or not there is still a dispute.

**Option 2:
to amend their repayment request**

The agent/landlord selects the option **"I wish to amend my repayment request"**.

Do you agree with the repayment request?

Do you agree with the repayment request? *

- I agree to the tenant's repayment request as shown above
- The tenant agrees to my repayment request as shown above
- I wish to amend my repayment request
- It has not been possible to reach any further agreement

[Go back](#) [Continue](#)

The agent/landlord will be shown a copy of each party's repayment request, and can amend the amounts in their own repayment request.

The agent/landlord can reduce amounts that they wish to receive from the deposit, and can increase what they are prepared to pay the tenant. They cannot increase their claim or make claims for new items.

- The agent/landlord updates the figures in their repayment request and selects **"Continue"**

Repayment of deposit

Please be aware that you can only reduce the amount you wish to receive and increase the amount you are prepared to pay to the other party.

	Tenant's repayment request		Agent/landlord's repayment request	
Deposit amount			£1,000.00	
Tenancy end date	31 July 2017		01 August 2017	
Amount of deposit to be repaid to tenant(s)	£	1,000.00	£	500.00
- Mr. Joe Jones	£	500.00	£	250.00
- Mrs. Josy Jones	£	500.00	£	250.00
Amount of deposit to be repaid to John Smith	£	0.00	£	500.00
- Cleaning	£	0.00	£	100.00
- Damage to Property or Contents	£	0.00	£	100.00
- Redecoration	£	0.00	£	100.00
- Gardening	£	0.00	£	100.00
- Rent Arrears	£	0.00	£	50.00
- Other or Unknown	£	0.00	£	50.00
- Reason for 'other' payments				
- Tenant(s)				
- Agent/landlord	Replacement keys			

[Go back](#) [Continue](#)

- The agent/landlord will be shown their revised figures, and can change them by selecting the option to "Edit" or can complete the process by selecting "Submit"

Option 3:
to advise TDS Northern Ireland that it has not been possible to reach any further agreement

- The agent/landlord selects the option **"It has not been possible to reach any further agreement"**.

Do you agree with the repayment request?

Do you agree with the repayment request? *

- I agree to the tenant's repayment request as shown above
- The tenant agrees to my repayment request as shown above
- I wish to amend my repayment request
- It has not been possible to reach any further agreement

[Go back](#) [Continue](#)

- The agent/landlord is asked to confirm whether they have discussed the repayment request with the tenant.

Where the agent/landlord advises that they have not discussed their repayment request with the tenant, they will be advised that this may delay the handling of their case. They should continue to try to reach agreement with the tenant during the remainder of the 10 working day period.

- To complete their response the agent/landlord selects **"Continue"**.

Do you agree with the repayment request?

Do you agree with the repayment request? *

- I agree to the tenant's repayment request as shown above
- The tenant agrees to my repayment request as shown above
- I wish to amend my repayment request
- It has not been possible to reach any further agreement

Unable to reach an agreement

Have you discussed your repayment request with the tenant(s)? Yes No

Information ✕

You have said that you have not yet made any attempts to resolve the dispute. This may delay our handling of the case. We recommend that you speak to your tenant(s) and revisit this page.

[Go Back](#) [Continue](#)

Where the agent/landlord advises that they have discussed their repayment request with the tenant, the page will require them to state what they have done to try and reach an agreement.



The screenshot shows a web form with the following elements:

- Title:** Unable to reach an agreement
- Question:** Have you discussed your repayment request with the tenant(s)?
- Radio Buttons:** Yes (selected) and No
- Section Header:** Attempts to reach agreement
- Text:** Please tell us what you have done to try to reach an agreement
- Text Area:** A large empty text area for providing details.
- Buttons:** Go back and Continue

Where no agreement has been reached at the end of the 10 working day period, TDS Northern Ireland will seek to resolve the matter through Alternative Dispute Resolution as long as;

- TDS Northern Ireland is satisfied that the parties have made reasonable attempts to resolve the dispute
- both parties have agreed to TDS Northern Ireland resolving the dispute

If TDS Northern Ireland does not consider that the parties have made reasonable attempts to resolve the dispute, it may ask them to continue to try to do so before any dispute is progressed.



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DEPOSIT
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