

WHO SHOULD READ THIS?

Tenants Agents Landlords

TENANTS' GUIDE HOW YOU GET BACK THE DEPOSIT AT THE END OF THE TENANCY



Updated November 2023 © TDS Northern Ireland Ltd 2023

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 | O TDS Northern Ireland Northern Ireland Executive www.northerniveland.gscuk |
| if you are the lead tenant, raise a dispute about the deposit at the end of the tena check the progress of a dispute | ancy |

In the TDS Northern Ireland 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. In most cases the agent/ landlord will start this process by completing an **online Repayment Request**. However it is also possible for the lead tenant to start this repayment process.

The deposit repayment process started by the tenant



If the lead tenant completes a repayment request, the agent/landlord will need to respond to this through their online TDS Northern Ireland account.

If the agent/landlord disagrees and completes an alternative repayment request, the lead tenant will need to respond to this through their online TDS Northern Ireland account.



If the landlord starts the repayment process the lead tenant will need to respond to this through their online TDS Northern Ireland account.

The process shown above also applies where the tenant is first to complete a repayment request, but the agent/landlord disagrees with it and completes an alternative repayment request. The lead tenant will need to respond to this through their online TDS Northern Ireland account.

STEP BY STEP -TENANT COMPLETING A REPAYMENT REQUEST

1. Log into the TDS Northern Ireland account

When the deposit was first protected, TDS Northern Ireland sent each tenant an email asking the tenant to activate their online account.

Setting up an account

• The tenant must first set up their account by clicking in the link in the Welcome email. If this has expired you should request another activation email via the login screen and we will email you one as long as we have the email address registered on the system.

| • • • | | | |
|--|---|--|---|
| HOME ABOUT | NEWS TOOLS & GUIDES JOIN SWITCH | H TO US | 8+ f in ♥ Login |
| Login | | | |
| Agents/Lan | llords | | |
| If you haven't upd migration. | ited your account to access this site, please <u>clic</u> | <u>k here</u> and enter your existing de | etails into the form there to begin the |
| Tenants | | | |
| If you have a DRN your account. | and DAN to access your tenancy details please | click here and enter those detai | ils into the form to begin updating |
| lf you are al | ready activated, login here | | |
| Please enter your you activated you | e-mail address and password which you chose w account. | hen | |
| E-mail address * | yourmailbox@example.com | | |
| Password * | | | |
| | با (+ | gin | |
| Forgotten passwo | d/activate account | | |

2. Lead tenant raises repayment request

When the lead tenant logs into their account, they will see the deposit(s) that they are connected to.

• If the tenant has more than one deposit registered with the scheme. They will see a list of their deposits and will need to select the **"View"** option for the relevant tenancy. This will show them the deposit summary for that tenancy.

| Deposit(s) | held | or | protected | by | scheme |
|------------|------|----|-----------|----|--------|
| | | | | | |

• • •

| Address | Start date | Deposit Held | Tenancy ID | Tenants | |
|--------------------------|----------------|--------------|------------|---------|--------|
| 99, The Avenue, AB1 2CD | 01 August 2016 | £1,000.00 | NI11577656 | 2 | 🕼 View |
| 22, High Street, EF3 4GH | 01 August 2016 | £1,000.00 | NI11577662 | 2 | 🕼 View |

If the tenant has only one deposit registered with the scheme they will be taken straight to the deposit summary.

• The lead tenant selects the option "Request Repayment of Deposit" at the bottom of the screen:

| ••• | |
|-------------------------------------|--|
| Landlords associated with this depo | osit |
| Organisation name | Role |
| John Smith | Primary landlord |
| | Request Repayment of Deposit Download Deposit Protection Certificate |

3. Updating the tenant's bank and contact details

At this stage the tenant is required to provide their payment 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 tenant does not wish to have their deposit back at the end of the process in case there is an undisputed balance due back to them.

If payment details have already been provided, the tenant is given the opportunity to update them.

At the same time the tenant can update their contact details.

When ready to continue, the tenant selects "Continue".



4. Completing the tenant's repayment request

The form will ask the tenant to provide the following information:

- A tenancy end date (this cannot be a date in the future)
- The amount of the deposit that the tenant wants to be paid to them. Where there are joint tenants, the page will split the amount to be paid to the joint tenants equally between each of them. The lead tenant can then change the amount to be repaid to each joint tenant.
- The amount of the deposit that they propose is paid to the agent/landlord:
- The tenant enters the required information and selects "Continue"

| Tenancy end date | | | |
|---|---|--|--|
| Please tell us the date you think the tenancy ended * | ▼ 2017 ▼ 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | | |
| Repayment of deposit | | | |
| Please enter in the fields below how much of the deposit tenant(s) and to the agent/landlord. These amounts must deposit held by TDS Northern Ireland, which is £1,000.00 | you want to be paid to the t match the amount of the 0. | | |
| Amount of deposit to be repaid to | tenant(s) | | |
| Total amount | £ 500.00 | | |
| Amount of deposit to be repaid to joint t | enants | | |
| Mr. Joe Jones | £ 250.00 | | |
| Mrs. Josy Jones | £ 250.00 | | |
| Amount of deposit to be repaid to John Smith | | | |
| Total amount | £ 500.00 | | |
| G Go I | oack 🕑 Continue | | |

5. Confirming the tenant's repayment request

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

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

 To complete their repayment request, the tenant confirms their agreement to the scheme rules and selects the "Submit" option.



6. What happens next?

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



Send the tenant a confirmation email confirming details of the repayment request made by them.

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

If the agent/landlord does not respond to the tenant's repayment request, they will be sent a reminder after 15 working days.

If there is no response after 30 working days, the deposit will be repaid to the tenant in full.



STEP BY STEP -RESPONDING TO THE AGENT/LANDLORD'S REPAYMENT REQUEST

The tenant will log onto the TDS Northern Ireland website and set out:

- how much of the deposit they wish to return to the agent/landlord and
- how much of the deposit should be paid to them.

Under the TDS Northern Ireland scheme any payments to the agent/landlord have to either be:

- agreed with the tenant; or
- made as a result of a TDS Northern Ireland Adjudication
- made where the tenant does not wish the scheme to resolve their dispute.

1. Log into the TDS Northern Ireland account

When the deposit was first protected, TDS Northern Ireland sent each tenant an email asking the tenant to activate their online account.

Setting up an account

• The tenant must first set up their account by clicking in the link in the Welcome email. If this has expired you should request another activation email via the login screen and we will email you one as long as we have the email address registered on the system.

| • • • | | | |
|---|--------------------------------|--|---|
| | | | |
| HOME ABOUT | NEWS TOOLS & GUIDES | JOIN SWITCH TO US | 8+ f in ⊮ Login |
| Login | | | |
| Agents/Land | lords | | |
| If you haven't upda migration. | ed your account to access this | s site, please <u>click here</u> and en | er your existing details into the form there to begin the |
| Tenants | | | |
| If you have a DRN a your account. | and DAN to access your tenan | icy details please <u>click here</u> and | I enter those details into the form to begin updating |
| lf you are alr | eady activated, logi | n here | |
| Please enter your e you activated your a | mail address and password w | hich you chose when | |
| E-mail address * | yourmailbox@example.com | | |
| Password * | **** | | |
| | | +) Login | |
| Forgotten password | /activate account | | |

2. Lead tenant reviews the agent/landlord's repayment request

When the lead tenant logs into their account, they will see the deposit(s) that they are connected to.

• If the tenant has more than one deposit registered with the scheme. They will see a list of their deposits and will need to select the **"View"** option for the relevant tenancy. This will show them the deposit summary for that tenancy.

| eposit(s) held or protect | ed by scheme | | | | |
|---------------------------|----------------|--------------|------------|---------|--------|
| Address | Start date | Deposit Held | Tenancy ID | Tenants | |
| 99, The Avenue, AB1 2CD | 01 August 2016 | £1,000.00 | NI11577656 | 2 | 🕼 View |
| 22, High Street, EF3 4GH | 01 August 2016 | £1,000.00 | NI11577662 | 2 | C View |

If the tenant has only one deposit registered with the scheme they will be taken straight to the deposit summary.

The lead tenant selects the following options at the bottom of the deposit summary screen:

- "View Repayment Request" displays a summary of the agent/landlord repayment request, and allows the tenant to select further options to either print it or download a PDF copy
- "**Respond to repayment request**" allows the tenant to respond to the repayment request **NB** only the lead tenant has this option.

| ••• | |
|-----------------------------|---|
| Landlords associated with t | his deposit |
| Organisation name | Role |
| John Smith | Primary landlord |
| S Respond | d to repayment request 💿 View Repayment Request 🕠 Download Deposit Protection Certificate |

3. Updating the tenant's bank and contact details

At this stage the tenant is required to provide their payment 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 tenant does not wish to have their deposit back at the end of the process in case there is an undisputed balance due back to them.

If payment details have already been provided, the tenant is given the opportunity to update them.

At the same time the tenant can update their contact details.

When ready to continue, the tenant selects "Continue".



G Go back

Ocontinue

4. Responding to the agent/landlord's repayment request

The lead tenant is shown the agent/landlord's repayment request.

• The lead tenant confirms the date they consider the tenancy ended, and chooses one of the options for responding to the repayment request and selects **"Continue"**.

| ••• | | | |
|---|--|--|--|
| Tenancy end d | ate | | |
| Please tell us the date you think the tenancy ended * | Day • Month • Year • 🎬 | | |
| Response to re | epayment request | | |
| Please select one of the following options * | I agree with the repayment request | | |
| | I agree with the repayment request and wish to change the distribution between the tenants | | |
| | I do not agree with the repayment request and do not wish to resolve the dispute using the scheme's dispute resolution mechanism | | |
| | I do not agree with the repayment request and wish to resolve the dispute using the scheme's dispute resolution mechanism | | |
| | G Go bac O Continue | | |

Response to repayment request with joint tenants: note that where joint tenants are involved and an amount is due to them, the lead tenant will see an additional option which allows them to agree to the request but go on to change the split between the tenants.

| • • • | | | |
|--|---------------------------|-----------------------------|--|
| Response to rep | baymen | t reques | t |
| The agent/landlor deposit. Please en repaid. | d has prov ter your re | ided the fol sponse show | lowing request for repayment of the wing how you wish the deposit to be |
| | Agent/la repayme | ndlord's ent request | Tenant's repayment request |
| - Mr. Joe Jones | £ | 250.00 | £ 0.00 |
| - Mrs. Josy Jones | £ | 250.00 | £ 0.00 |
| | | | G Go back S Continue |

5. Tenant accepts the agent/landlord's repayment request

If the tenant selects the option agreeing with the agent/landlord's repayment request they will be shown a warning that this will result in the repayment of the deposit.

The tenant must select the "I agree" button to confirm their agreement and continue.

The tenant is then shown a success message confirming that payment will be made within 5 working days where it holds payment details.



Where a tenant accepts the agent/landlord's repayment request this is the end of the process.

6. Tenant does not accept the agent/landlord's repayment request

If the tenant does not accept the agent/landlord's repayment request they will need to decide whether or not they wish the dispute to be resolved using TDS Northern Ireland's free Alternative dispute Resolution (ADR) process.

To dispute the agent/landlord's repayment request the tenant must select one of the bottom two options:

| • • • | |
|--|--|
| Response to re | epayment request |
| Please select one of the following options * | I agree with the repayment request |
| | I agree with the repayment request and wish to change the distribution between the tenants |
| | I do not agree with the repayment request and do not wish to resolve the dispute using the scheme's dispute resolution mechanism |
| | I do not agree with the repayment request and wish to resolve the dispute using the scheme's dispute resolution mechanism |
| | G Go back O Continue |

• Where the tenant indicates that they do not wish to use the scheme's dispute resolution mechanism this means that the deposit will be repaid as per the agent/landlord's repayment request. The tenant will need to take legal proceedings subsequently if they wish to challenge repayment of the deposit. The tenant will see a warning about this and must select "Continue" to proceed.

| • | |
|---|--|
| Please select one of the following options * | I agree with the repayment request |
| | I agree with the repayment request and wish to change the distribution between the tenants |
| | I do not agree with the repayment request and do not wish to resolve the dispute using the scheme's dispute resolution mechanism |
| Warning | equest and |
| You have told us that you do not do not wish to resolve the dispute resolution mechanism. This mean accordance with the repayment re We will play no further part in the deposit. You will need to take the with the capatilized places a | agree with the repayment request and a using the scheme's dispute ns that we will pay the deposit out in equest made by the agent/landlord. dispute obcourt or reach agreement onfirm that this is what you want to |

• Where the tenant indicates that they do wish to use the scheme's dispute resolution mechanism they will be able to give their response to the agent/landlord's repayment request, showing what it is that they want to happen to the deposit. The tenant completes a breakdown for the payments to be made from the deposit and selects "Continue".

Response to repayment request

• • •

The agent/landlord has provided the following request for repayment of the deposit. Please enter your response showing how you wish the deposit to be repaid.

| | Agent/la repaym | andlord's ent request | Tena repa | nt's yment request |
|--|--------------------|--------------------------|--------------|-----------------------|
|)eposit amount | | | | £1,000.00 |
| mount of deposit to be epaid to tenant(s) | £ | 500.00 | £ | 0.00 |
| Wr. Joe Jones | £ | 250.00 | £ | 0.00 |
| Mrs. Josy Jones | £ | 250.00 | £ | 0.00 |
| mount of deposit to be paid to John Smith | £ | 500.00 | £ | 0.00 |
| Cleaning | £ | 100.00 | £ | 0.00 |
| Damage to Property or ontents | £ | 100.00 | £ | 0.00 |
| Redecoration | £ | 100.00 | £ | 0.00 |
| Gardening | £ | 100.00 | £ | 0.00 |
| Rent Arrears | £ | 50.00 | £ | 0.00 |
| Other or Unknown | £ | 50.00 | £ | 0.00 |
| Reason for 'other' payments | | | | |
| Agent/landlord | | | Rep | lacement keys |
| Tenant(s) | | | | |

7. Confirming the tenant's response to the agent/landlord's repayment request

The tenant will see a new screen where the summary of their response to the repayment request is shown (which can still be edited by selecting the **"Edit"** option).

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

To complete their repayment request, the tenant selects the **"Submit"** option.

| • • • | | | | |
|---|--|---|--|--|
| Summary | | | | |
| This is what you have to | ld us | | | |
| Please make sure the informati want to happen to the deposit. | ion you hav | ve given us sets | out correc | tly what you: |
| | Agent/lan repaymen | dlord's t request | Tenant's repaymer | nt request |
| Deposit status | Repayme | nt requested - ag | ent/landlo | rd |
| Situation | Repayme required received deadline | ent requested by by 10 Oct 2017. I we will send a re expires | John Smit f no respo minder be | h, response nse has been fore this |
| Tenancy end date | 01 Augus | st 2017 | 31 July 2 | 017 |
| Amount of deposit to be repaid to tenant(s) | £ | 500.00 | £ | 1000.00 |
| - Mr. Joe Jones | £ | 250.00 | £ | 500.00 |
| - Mrs. Josy Jones | £ | 250.00 | £ | 500.00 |
| Amount of deposit to be repaid to John Smith | £ | 500.00 | £ | 0.00 |
| - Cleaning | £ | 100.00 | £ | 0.00 |
| - Damage to Property or Contents | £ | 100.00 | £ | 0.00 |
| - Redecoration | £ | 100.00 | £ | 0.00 |
| - Gardening | £ | 100.00 | £ | 0.00 |
| - Rent Arrears | £ | 50.00 | £ | 0.00 |
| Warning | × | 50.00 | £ | 0.00 |
| You must agree to the declaration before submitting your response to the repayme request. Please click "Go back" to return response or "Return to My Options" to re your response | ent n to your emove | ient keys | | |
| ● Go back ● Return to My Op Consent of FDS Norment Treas supporting documents to the off appointed adjudicator if necessa resolving a dispute about the de I acknowledge that I have read Northern Ireland Rules. | her party (in ary, and to eposit. and agree | g this form and a es) to the tenand anyone else inv to be bound by | any ;y; to the olved in the TDS | • |
| Do you agree with the above statement? * | ee ® idon | 't agree | © 5 | ubmit Edit |

8. What happens next?

After the tenant has responded to the repayment request, TDS Northern Ireland will:

notify the agent/landlord of the repayment request

send the tenant a confirmation email confirming details of the repayment request made by them.

Where the tenant does not agree the repayment request and wants to use the ADR service, all parties are advised that they must attempt to resolve the dispute first. Both the tenant and landlord should contact each other in an effort to resolve the dispute. Both parties will be required to continue negotiating for 10 working days in an attempt to reach an agreement.

| Deposit details | 5 |
|-------------------------|--|
| Deposit status | Repayment requested - parties attempting to reach agreement |
| Situation | The dispute resolution mechanism is on hold whilst the parties attempt to reach agreement |
| Total amount of deposit | £1,000.00 |

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.

9. Tenant agrees with the agent/landlord's repayment request

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

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

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

| ••• | |
|---------------------------|---|
| Landlords associated with | this deposit |
| Organisation name | Role |
| John Smith | Primary landlord |
| | date repayment request) View Repayment Request O Download Deposit Protection Certificate |

selects the option "I agree to agent/landlord's repayment request shown above"

| ••• | | | | |
|---|--|--|--|--|
| Do you agree with the proposal? | | | | |
| Do you agree with the repayment request? * | I agree to the agent/landlord's repayment request as shown above | | | |
| | The agent/landlord 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 | | | |
| | G Go back O Continue | | | |

• the tenant will be shown a warning asking them to confirm their agreement – the tenant selects the option *"I agree"*

10. Tenant does not agree with the agent/landlord repayment request

The tenant needs to choose one of the following three options.

Option 1:

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

• The tenant selects the option "The agent/landlord agrees to my repayment request as shown above"

| • • • | |
|--|---|
| Do you agree | with the proposal? |
| Do you agree with the repayment request? * | I agree to the agent/landlord's repayment request as shown above |
| | The agent/landlord agrees to my repayment request as above |
| | L wish to amend my repayment request |
| | It has not been possible to reach any further agreement |
| | G Go back O Continue |

• The page will ask the tenant to confirm that they are happy for the scheme to confirm this agreement with the agent/landlord. The tenant selects the option **"I agree**"

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

- If the agent/landlord confirms their agreement to the repayment request TDS Northern Ireland will advise the tenant 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 agent/landlord to confirm whether or not there is still a dispute.

Option 2:

to amend their repayment request

• The tenant selects the option "I wish to amend my repayment request".

| • • • | |
|--|---|
| Do you agree | with the proposal? |
| Do you agree with the repayment request? * | I agree to the agent/landlord's repayment request as shown above The agent/landlord 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 |

The tenant will be shown a copy of each party's repayment request, and can amend the amounts in their own repayment request. The tenant can reduce amounts that they wish to receive from the deposit, and can increase what they are prepared to pay the agent/landlord.

• The tenant 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.

| | Agent/la repayme | indlord's ent request | Tena repay | nt's /ment request |
|--|---------------------|--------------------------|---------------|-----------------------|
| Deposit amount | | | | £1,000.00 |
| Tenancy end date | 01 Aug | ust 2017 | 31 July 2017 | |
| Amount of deposit to be repaid to tenant(s) | £ | 500.00 | £ | 1000.00 |
| - Mr. Joe Jones | £ | 250.00 | £ | 500.00 |
| - Mrs. Josy Jones | £ | 250.00 | £ | 500.00 |
| Amount of deposit to be repaid to John Smith | £ | 500.00 | £ | 0.00 |
| - Cleaning | £ | 100.00 | £ | 0.00 |
| - Damage to Property or Contents | £ | 100.00 | £ | 0.00 |
| - Redecoration | £ | 100.00 | £ | 0.00 |
| - Gardening | £ | 100.00 | £ | 0.00 |
| - Rent Arrears | £ | 50.00 | £ | 0.00 |
| - Other or Unknown | £ | 50.00 | £ | 0.00 |
| - Reason for 'other' payments | | | | |
| - Agent/landlord | Replace | ment keys | | |
| - Tenant(s) | | | | |
| | | G Go | o back | |
| | | | | |

• The tenant 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 tenant selects the option "It has not been possible to reach any further agreement".

| ••• | |
|--|---|
| Do you agree | with the proposal? |
| Do you agree with the repayment request? * | I agree to the agent/landlord's repayment request as shown above The agent/landlord agrees to my repayment request as shown above I wish to amend my repayment request I thas not been possible to reach any further agreement |

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

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

• To complete their response the tenant selects "Continue".



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

| ••• |
|--|
| Unable to reach an agreement |
| Have you discussed your repayment request with the agent/landlord? |
| Agreement detail |
| Please tell us what you have done to try to reach an agreement |
| G Go back S 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, we may ask them to continue to try to do so before any dispute is progressed.











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