







TENANTS' GUIDE

HOW YOU RAISE A DISPUTE AT THE END OF THE TENANCY





INSURED SCHEME

This quick guide sets out what landlords and tenants need to do at the end of the tenancy where there is a dispute about the return of a deposit which is protected by the TDS Northern Ireland Insured scheme.

To check if your deposit is protected by the Insured scheme, check your Deposit Protection Certificate.

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

Tenancy Deposit Protection Certificate (Insurance Scheme)

This Certificate confirms that your agent or landlord has registered your tenancy deposit with TDS Northern Ireland, a tenancy deposit protection scheme approved by the Northern Ireland Executive. Your deposit is registered with our insurance-backed scheme – this means that the landlord or agent holds the deposit during the tenancy. If there is a dispute at the end of the tenancy the landlord or agent must give us the amount of the deposit over which there is a disagreement.



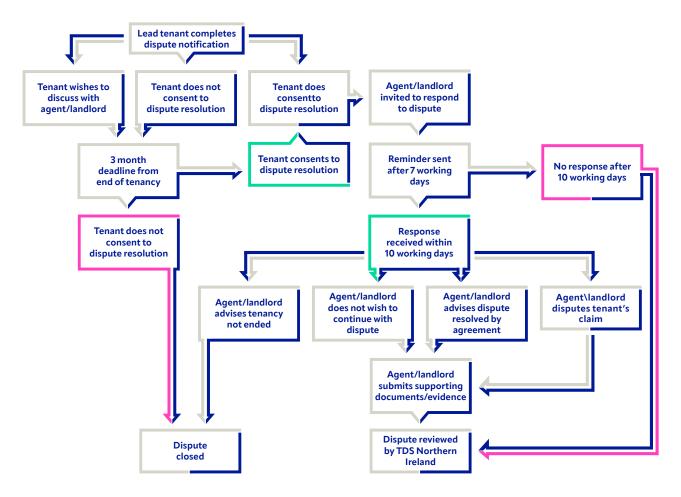
You can use the Deposit Account Number at www.tdsnorthernireland.com to:

- 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
- check the progress of a dispute

In the TDS Northern Ireland Insured scheme deposits are held by the agent/landlord and tenants will need to discuss the return of their deposit directly with them. If your tenancy has not ended in dispute, you do not need to contact us to notify us the tenancy has ended.

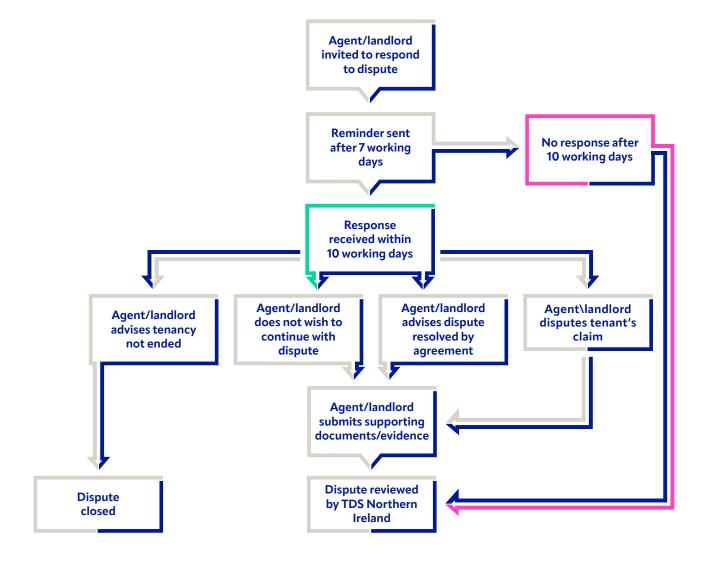
Where the return of the deposit cannot be agreed, the lead tenant can raise a dispute with TDS Northern Ireland and must do so within 3 months of the end of the tenancy. The 3 month deadline works in the same was as the contract term of a tenancy agreement. If your tenancy ended on the 10th March, we must receive your repayment request by the 9th March for this to be accepted.

Tenant raising dispute



If the lead tenant does complete a dispute notification, the agent/landlord will need to respond to this through their online TDS Northern Ireland account.

Agent/landlord responding to dispute

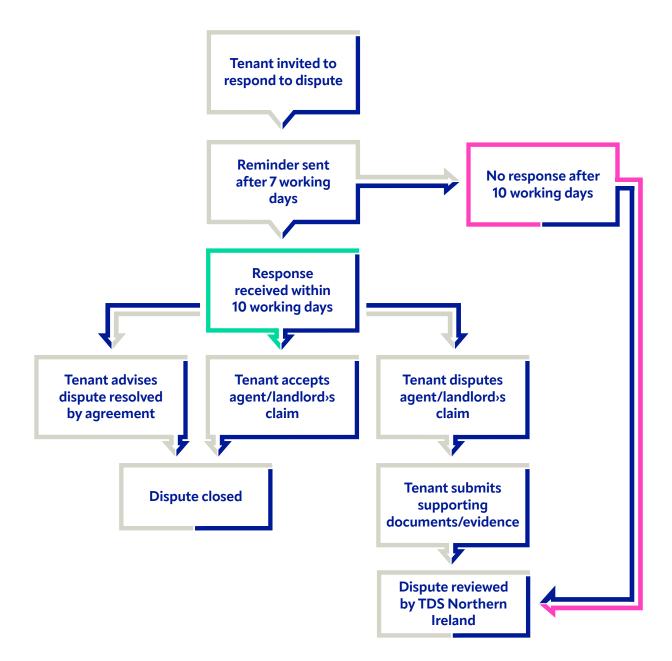


If the agent/landlord advises in their response that the tenancy has not ended, the dispute will be closed and the tenant advised.

If the agent/landlord confirms that the tenancy has ended and responds to the dispute, it will be reviewed by TDS Northern Ireland to see whether it can be resolved without the need for an adjudication decision.

Where it is decided that an adjudication decision is needed, the lead tenant will need to respond to the agent/landlord's evidence through their online TDS Northern Ireland account.

Tenant responding to dispute





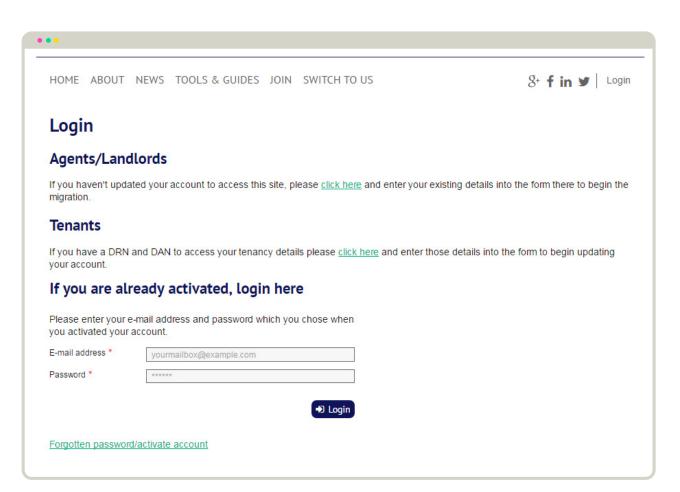
STEP BY STEP - TENANT RAISES A DISPUTE

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

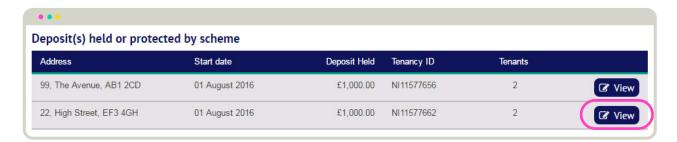
• The tenant must first set up their account by clicking in the link in the Welcome email. If this has expired you should request another activation email via the login screen and we will email you one as long as we have the email address registered on the system.



2. Lead tenant raises dispute

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.



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 "Raise dispute" at the bottom of the screen:



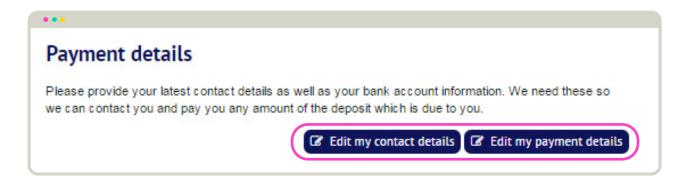
3. Updating the tenant's bank and contact details

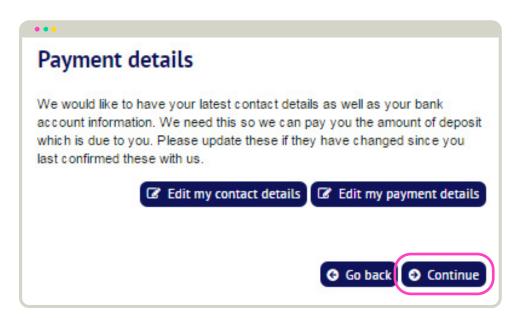
At this stage the tenant is required to provide their payment details as these will be needed when any payments are made once the process has been completed. TDS Northern Ireland needs these even if the tenant does not wish to have their deposit back at the end of the process in case there is an undisputed 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".

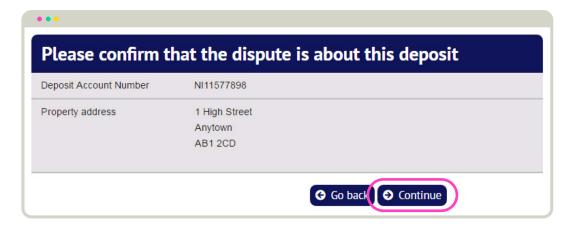






4. Completing the dispute notification

The tenant will be asked to confirm that they are raising a dispute on the correct tenancy – select
"Continue"



• The tenant will be asked to confirm that the tenancy has ended. If they select "No" they will not be able to continue:

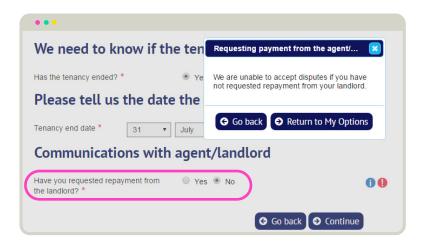


• Where the tenant states that the tenancy has ended, they will be asked to provide a tenancy end date (this cannot be a date in the future).

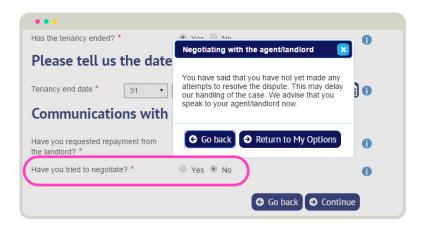


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The tenant will be asked if they have requested repayment from the agent/landlord. Where they respond with "No" they will not be able to continue:



The tenant will be asked if they have negotiated with the agent/landlord. Where they respond with "No" they will not be able to continue:

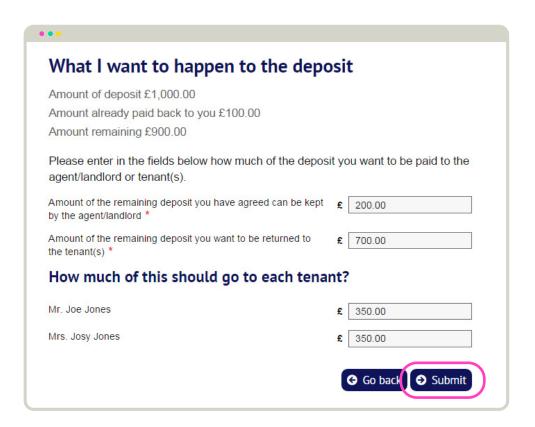


The form will now ask the tenant to confirm if they have received any of the deposit back. Where they respond with "Yes" they will need to enter the amount received:



The form will next ask the tenant to enter the following information:

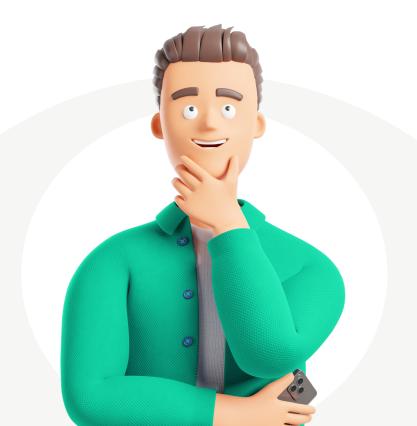
- the amount of the deposit that the tenant wants to be paid to them. Where there are joint tenants, the page will split the amount to be paid to the joint tenants equally between each of them. The lead tenant can then change the amount to be repaid to each joint tenant.
- the amount of the deposit that they propose is paid to the agent/landlord.
- The tenant enters the required information and selects "Submit"



5. Confirming the details of the dispute

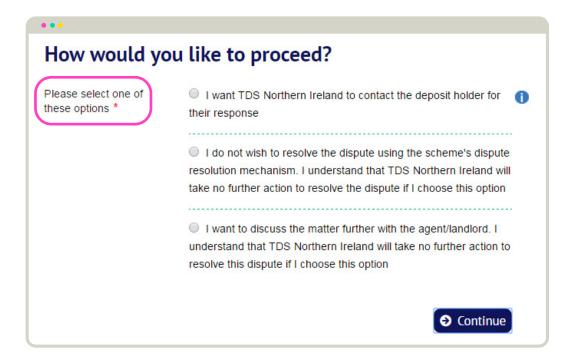
• The tenant is shown a summary of the details they have entered. They can make changes by selecting "Edit" or select "Continue" to proceed.

Tenancy end date	31 July 2017
Have you requested repayment from the landlord?	Yes
Have you tried to negotiate?	Yes
Have you received any part of the deposit?	Yes
Amount you have received	£100.00
Amount of the remaining deposit you have agreed can be kept by the agent/landlord	£200.00
Amount of the remaining deposit you want to be returned to the tenant(s)	£700.00
Mr. Joe Jones	£350.00
Mrs. Josy Jones	£350.00



6. Deciding what you want to happen next

• The tenant will now be asked to select one of the following options:

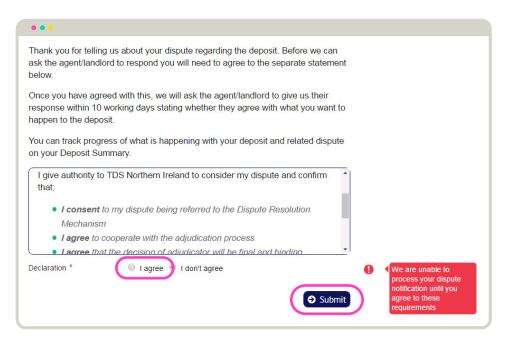


Option 1:

I want TDS Northern Ireland to contact the agent/landlord for their response

Where the tenant selects this option they are advised that the scheme will contact the agent/landlord inviting them to agree with what the tenant wants to happen to the deposit, or dispute it. The agent/landlord must respond within 10 working days. The tenant must agree to the scheme rules and also consent to the details of their dispute notification being sent to the agent/landlord.

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



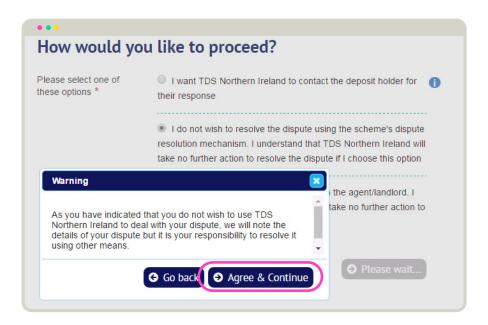


Option 2:

I do not want to use the scheme to resolve the dispute

Where the tenant selects the option for not consenting to dispute resolution, they are advised that the scheme will note the details of the dispute. The scheme will direct the agent/landlord to submit the disputed deposit amount, but will not take any further action to resolve the dispute.

The tenant must confirm their agreement to this, or go back and select a different option



Option 3:

I want to discuss matters further with the agent landlord

Where the tenant selects the option to discuss matters further with the agent/landlord, they are advised that the scheme will note the details of the dispute. The scheme will not direct the agent/landlord to submit the disputed deposit amount and will not take any further action to resolve the dispute.

The tenant must confirm their agreement to this, or go back and select a different option





7. What happens next?

After the dispute notification has been submitted - and the tenant has asked TDS Northern Ireland to ask the agent/landlord for their response - TDS Northern Ireland will:



Notify the agent/landlord of the repayment request – the agent/landlord then has 10 working days to respond;



Send the tenant a confirmation email confirming details of the dispute notification made by them.

8. What if the agent/landlord does not respond to the tenant's dispute notification?



If the agent/landlord does not respond to the tenant's dispute notification, they will be sent a reminder after 7 working days.

If there is no response after 10 working days, the dispute will be reviewed by TDS Northern Ireland. Where TDS Northern Ireland is satisfied that the agent/landlord did received details of the dispute and failed to respond, it is likely that an adjudication decision will be made in favour of the tenant.

STEP BY STEP - TENANT RESPONDS TO DISPUTE

1. Log into online account

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.



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

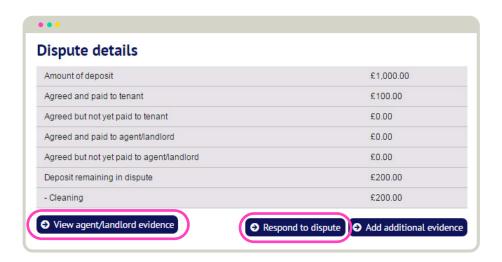
• The lead tenant selects the option "View dispute" at the bottom of the screen:

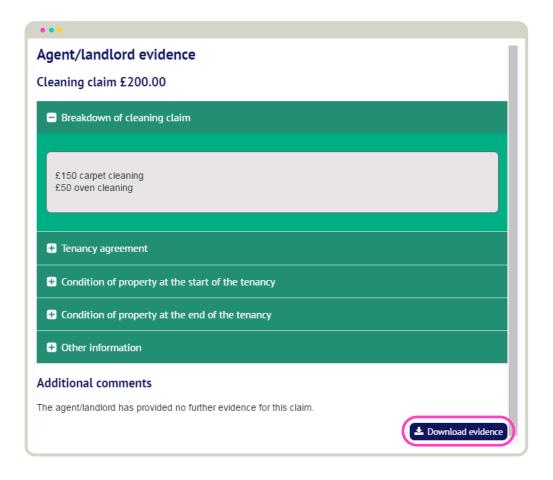




The tenant will see a summary of the deposit deductions claimed by the landlord, together with the following options:

- "View agent/landlord evidence" selecting this option will display the documents and statements made by the agent/landlord. The tenant can view this online and download it
- "Respond to dispute" selecting this option will display the options available to the tenant for responding to the dispute.



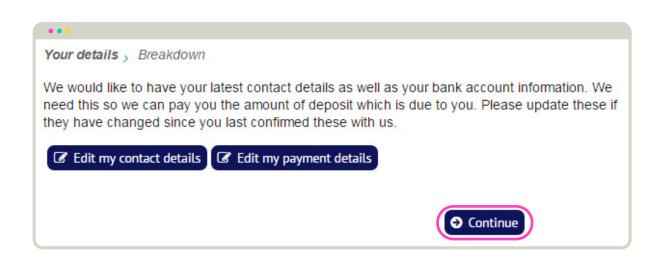




At this stage the tenant is asked to review their payment details as these will be needed when any payments are made once the process has been completed. TDS Northern Ireland needs these even if the tenant does not wish to have their deposit back at the end of the process in case there is an undisputed balance due back to them.

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

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





4. Responding to the dispute

The tenant must now select one of the following options



Option 1: dispute resolved by agreement

If the tenant selects this option they will be advised that the dispute will be closed. The tenant needs to confirm that this is what they want to happen:



- The tenant selects "I agree" to confirm their response and close the dispute
- The tenant selects "I don't agree" to go back and select a different option

Option 2:

tenant agrees with agent/landlord claim

If the tenant selects this option they will be advised that the dispute will be closed. The tenant needs to confirm that this is what they want to happen:



- The tenant selects "I agree" to confirm their response and close the dispute
- The tenant selects "I don't agree" to go back and select a different option



Option 3:

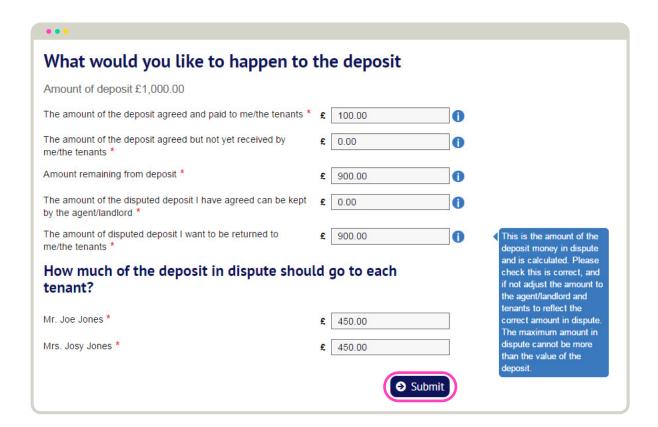
tenant disputes agent/landlord claim

The tenant selects this option when they do not agree with the agent/landlord claim.

The tenant will be asked to state what they want to happen to the deposit.

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 tenant enters the required information and sleets "Submit"



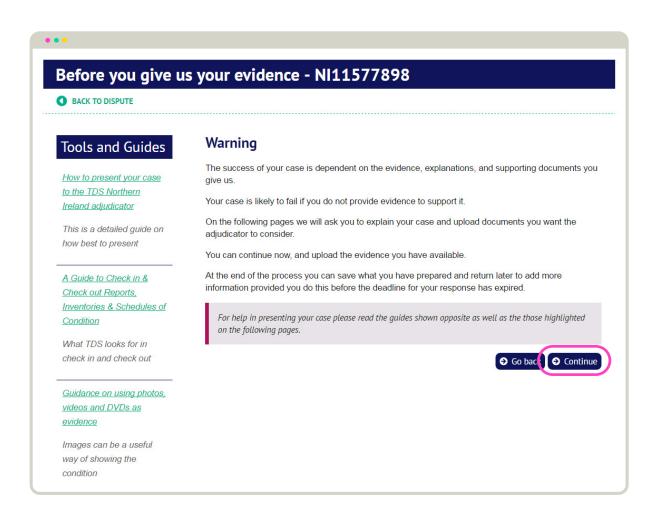


5. Submitting the tenant's evidence

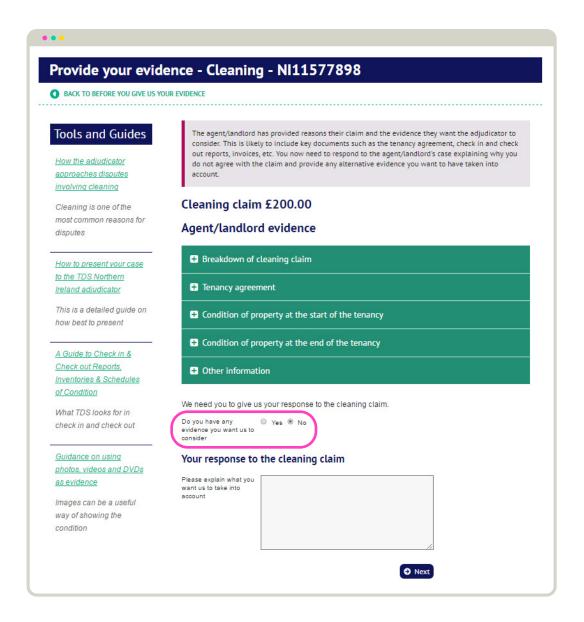
The tenant will next be asked to provide the evidence they want the adjudicator to consider. Before they do this, they will see a page giving guidance on the next part of the process and further information on how best to present their case.

Before the tenant proceeds, they should ensure that they have to hand the keydocuments, and any other evidence, they wish the adjudicator to consider

The tenant selects "Continue"



- The tenant will be shown a page dealing with each of the claims made by the agent/landlord.
- The tenant can again view the evidence and statements made by the agent/landlord.
- The tenant first indicates whether they have any evidence that they want the adjudicator to consider.

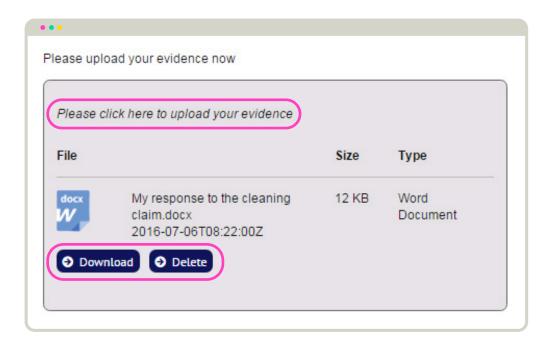


Where the tenant states that they do have evidence to be considered, a box will appear asking the tenant to upload the relevant information.

• The tenant clicks in the box stating "Please click here to upload your evidence" and is then able to select the evidence from their computer.

The documents uploaded by the tenant will appear on screen with two further options:

- The tenant selects "Downlaod" to view a document
- The tenant selects "Delete" to remove the document form the evoidence portal



Whether or not they upload documents, the tenant is also able to state their response to the dispute

• The tenant enters their statements and selects "Next"



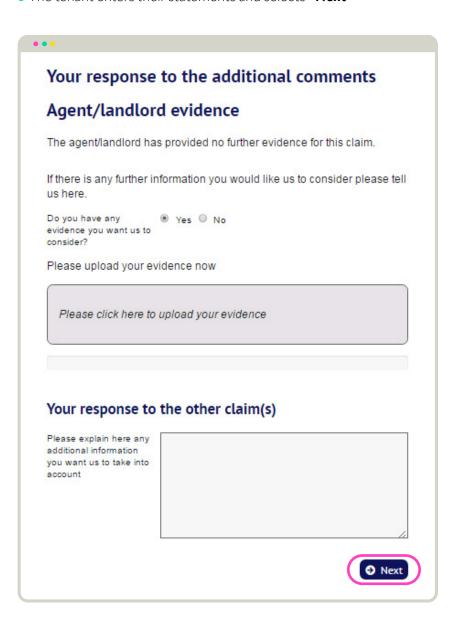
This process is repeated for each claim made by the agent/landlord.

6. Responding to any additional comments

The tenant will be shown any additional comments made by the agent/landlord.

On this page the tenant can respond to these additional comments and upload further documents.

• The tenant enters their statements and selects "Next"

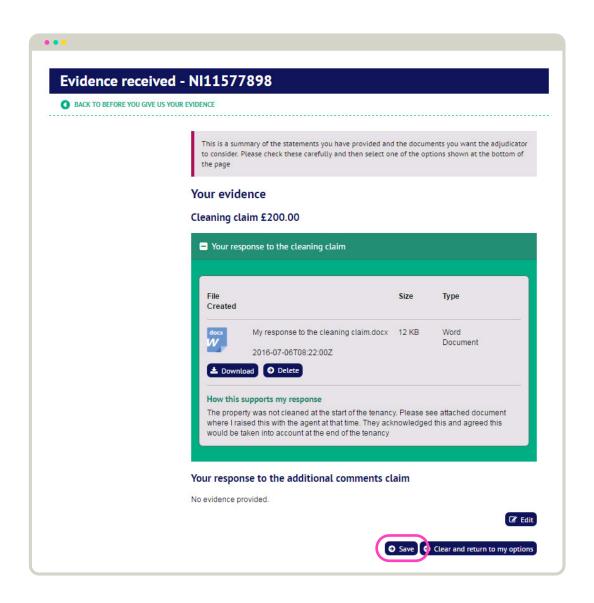




7. Confirming the tenant's evidence

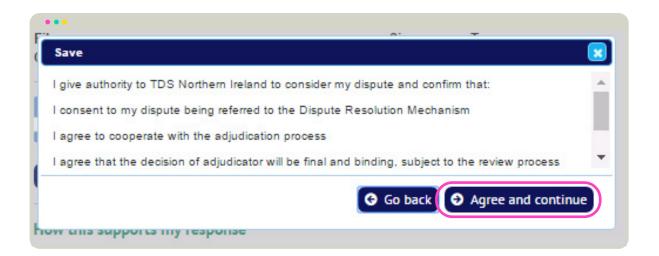
Once they have completed their evidence submission, the tenant will see a summary of the statements they have made and the documents they have uploaded.

- Selecting the "plus" sign next to each category will open it for viewing
- The tenant can make changes by selecting "Edit" this will return them to the beginning of their response to the dispute
- The tenant can delete their response and start again by selecting "Clear and return to my options"
- The tenant can continue by pressing "Save"



Where the tenant selects "Save" they will be asked to confirm their agreement to the scheme rules

To complete their evidence the tenant selects "Agree and continue"



This completes the tenant's response to the dispute.

If the tenant has any time remaining from their 10 working day deadline to respond to the dispute, they will see the option to "Respond to dispute". This will allow them to reopen their dispute response and evidence submission and make changes to it.

Once the 10 working day deadline has expired, this option will no longer be shown.

8. What happens next?

After the tenant's response to the dispute has been submitted, and the 10 working day deadline has expired, TDS Northern Ireland will:



Send the tenant(s) a confirmation email



Advise the agent/landlord that the tenants have made their response to the dispute

TDS Northern Ireland will review the evidence submitted by the parties before passing the dispute to the adjudicator.













