Threshold
preventing homelessness

Tenancy Deposit Protection Bill

The Bill was prepared on the basis of Threshold's research and expertise with the support of Ceile Varley BL on a voluntary basis via the Public Interest Law Alliance. This Bill will see the establishment of a Deposit Protection Scheme (DPS) that ensures the secure and swift return of deposits to the tenant at the end of a tenancy, unless a bone fide issue arises. This document outlines the operation of the Bill.

Start of a tenancy

Landlord responsibilities

- The landlord must lodge the deposit with the DPS provider within 10 days of receiving it from the tenant.
- The landlord will be required to create an account with the DPS provider for this purpose.

Tenant responsibilities

Once the landlord has lodged the deposit with DPS provider, the tenant will receive a notification to activate their account. Through this account the tenant can check the status of the deposit as well as taking any action needed at the end of a tenancy.

Scheme provider responsibilities

Once the DPS provider has received the deposit, they will write to the RTB, the tenant and the landlord confirming receipt of the deposit.

End of a tenancy

Landlord initiation

A claim is made by landlord

If the landlord is making a claim on the deposit, they must provide the amount, evidence and reasons for each deduction. The scheme provider will then contact the tenant to review the claim.

Tenant agrees

If the tenant agrees, the deposit will the paid accordingly.

Tenant disagrees

If the tenant disagrees, they will provide the amount which, in their view, should be paid or not paid to the landlord.

Landlord agrees

If the landlord agrees, the deposit will the paid accordingly.

Landlord or tenant disagrees

If the landlord or tenant disagree at this stage, the role of the scheme provider comes to an end. It is up to either the landlord or tenant to lodge a dispute with the RTB to seek the return of the deposit.

No claims made by landlord or tenant

The scheme provider will attempt to notify both parties about the unclaimed deposit. If there is no response, the deposit will be reinvested back into the scheme.

Tenant initiation

A claim is made by tenant

If a landlord does not make the request of the provider in a reasonable time frame the tenant can submit the request, setting out the amount to be returned to them and or the landlord.

Landlord agrees

The landlord must confirm within 10 working days and the deposit will be repaid accordingly. If there is no confirmation after 10 days, it is assumed there is no dispute and the deposit is repaid according to the tenant's request.

Landlord disagrees

If the landlord disagrees, they will provide the amount which, in their view, should be paid or not paid to the tenant.

Tenant agrees

If the tenant agrees, the deposit will the paid accordingly.

Landlord or tenant disagrees

If the landlord or tenant disagree at this stage, the role of the scheme provider comes to an end. It is up to either the landlord or tenant to lodge a dispute with the RTB to seek the return of the deposit.

Threshold
preventing homelessness