

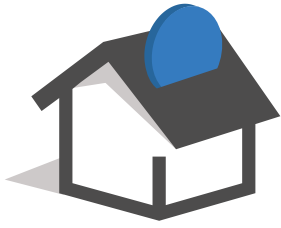
**SafeDeposits**  
**Scotland**

# INFORMATION FOR LANDLORDS & AGENTS





# WHAT IS SAFEDEPOSITS SCOTLAND?



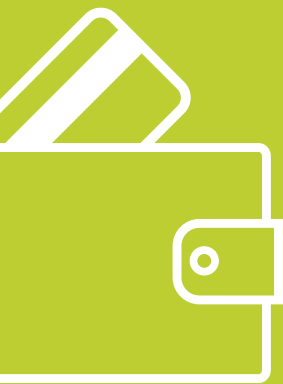
# SafeDeposits Scotland

In the private rented sector many tenants give their landlords a deposit against possible non-payment of rent, or damage to property. When a tenancy comes to an end, there is usually no disagreement about the return of the deposit. But sometimes there is, and this can cause hardship, delay and inconvenience to landlords and tenants. The Housing (Scotland) Act 2006 ('the Act') and the Tenancy Deposit Schemes (Scotland) Regulations 2011 ('the Regulations') require all landlords who are obligated to register with their local authority to transfer the deposit to an approved tenancy deposit scheme to protect it.

SafeDeposits is an independent tenancy deposit protection scheme approved by the Scottish Ministers under the Act. SafeDeposits is a not-for-profit company limited by guarantee with its members being:

- National Federation of Property Professionals
- National Union of Students Scotland
- Royal Institution of Chartered Surveyors
- Scottish Association of Landlords
- The Dispute Service Ltd

SafeDeposits is designed to ensure that tenancy deposits are securely held and protected and that disputes about their return are resolved quickly, cheaply and fairly. SafeDeposits is free to use (including the Alternative Dispute Resolution process) and open to all landlords and their agents. SafeDeposits is funded entirely from the interest earned on deposits held, and landlords, agents and tenants do not have to pay any fees to take part in the scheme.



SafeDeposits holds the deposit during the tenancy in order to keep it safe and to make sure it is available to be returned to the tenant(s) if they have met the terms of the tenancy agreement. Where there is no dispute at the end of the tenancy, the landlord and/or tenant tell SafeDeposits how the deposit is to be paid out. Where there is a dispute about the deposit and it cannot be resolved after negotiation, the landlord and tenant are invited to submit appropriate documentation to SafeDeposits, who will deal with the dispute fairly, quickly and impartially. SafeDeposits will apportion the disputed amount of the deposit and pay it to the parties in accordance with the decision of an independent adjudicator.

## Which tenancies does SafeDeposits cover?

SafeDeposits covers those tenancies to which the landlord registration provisions in the Antisocial Behaviour etc. (Scotland) Act 2004 apply. Therefore, if a landlord is required to register with a local authority, and takes a deposit from their tenant, that landlord must also comply with the Tenancy Deposit Schemes (Scotland) Regulations 2011.

This includes landlords of assured and short assured tenancies, university accommodation, as well as various other types of occupancy arrangement.

Landlords of the following types of property are not required to register and so will not have to comply with the Regulations:

- Lets to family members
- Life rents
- Houses for holiday use

- Properties used by religious orders and organisations
- Accommodation with care
- Houses subject to control orders
- Agricultural and crofting tenancies
- Resident landlords
- Transitory ownership (executors, heritable creditors, and insolvency practitioners)

Landlords who live overseas and take a deposit, and who are not otherwise exempt, must comply with the Regulations.

It does not matter if a third party pays the deposit on behalf of a tenant. Unless a landlord is exempt from complying with the Regulations, the deposit must be transferred to an approved scheme.

The SafeDeposits scheme and the Tenancy Deposit Schemes (Scotland) Regulations 2011 do not apply to tenancies outside Scotland.

## How do the Regulations affect Housing Associations?

Registered Social Landlords, Local Authorities and Scottish Homes are not covered by the Regulations and do not have to pay any deposits into an approved scheme.

However, subsidiaries of housing associations who are operating as private landlords — and are not therefore registered as a Registered Social Landlord — and who let property under assured or short assured tenancies, will be covered by the Regulations and must pay deposits into an approved scheme.



## What is a tenancy deposit?

A tenancy deposit is a sum of money which a landlord requires a tenant to pay at the start of the tenancy, and which will normally be returned to the tenant at the end of the tenancy. The money is security against the tenant not meeting their obligations in connection with a tenancy or occupancy arrangement. In certain circumstances a landlord may want to use some or all of the deposit at the end of the tenancy, for example to:

- pay to repair damage a tenant may have caused to the property
- pay cleaning bills if the property has been left in poor condition
- pay bills that are left unpaid, for example fuel or telephone bills, where the landlord can demonstrate a loss, subject to any contractual relationship with the tenant and supplier
- cover any unpaid rent

A written guarantee, as often used by rent deposit guarantee schemes, is not a sum of money and as such is not covered by the Regulations. However, if the tenant is required to pay a deposit to the landlord at any point under the guarantee, whether in full or by instalments, the landlord is required to transfer the amount received to a tenancy deposit scheme.

Landlords are not obligated to take a deposit. But if they do, the deposit needs to be dealt with in accordance with the Regulations.

Each Tenancy Deposit Scheme has produced its own rules. Those for SafeDeposits are set out in the SafeDeposits Scheme Rules. These are available on our website, and paper copies can be provided on request.

## What do the Regulations mean for landlords?

Any tenancy deposit accepted by a landlord must be transferred to an approved tenancy deposit scheme, such as SafeDeposits, within 30 working days of the beginning of the tenancy.

The Tenancy Deposit Schemes (Scotland) Regulations 2011 are retrospective, which means that they apply to all tenancy deposits in Scotland, including those taken before the Regulations were introduced. The transfer of deposits was phased in after the launch of the schemes in July 2012, but since 15th May 2013 all tenancy deposits in Scotland must be held in a tenancy deposit scheme.

After you transfer the deposit, SafeDeposits will issue a Deposit Protection Certificate to the landlord, the tenant(s) and the agent (if there is one). Additionally, the landlord must ensure that certain information is given to the tenant, including details about the amount of the deposit and about the scheme where it is being held. The landlord must also provide the tenant with information about when all or part of their deposit may be retained at the end of their tenancy, with reference to the terms of the tenancy agreement.

In order to make this easier for landlords, SafeDeposits has produced a template document, [Prescribed Information](#), which landlords can complete and give to their tenant(s) following the transfer of the deposit to SafeDeposits. We can also pre-fill this with information given to us when you registered the deposit to us – all you have to do is print it out and give it to your tenant(s). Failure to give this information to all tenants on the tenancy agreement can lead to heavy sanctions against the landlord.

## What do the Regulations mean for letting agents?

The duties in relation to tenancy deposits apply to landlords, as the person requiring the deposit. This does not mean that the landlord cannot employ an agent to act on their behalf to manage a tenancy. However, it is in the interests of landlords who employ a letting agent to satisfy themselves that the agent is acting in accordance with the Regulations, i.e. submitting deposits to an approved scheme, and providing the necessary information to the tenant within the required timescales. The requirements on agents vary according to the extent to which they are involved in the management of a tenancy.

## What if the landlord does not comply with the Regulations?

Should a landlord fail to protect deposits and/or provide information in accordance with the Regulations, tenants can apply to the Sheriff Court for sanctions against the landlord. Financial penalties, payable to the tenant, will be imposed on a landlord who fails to comply.

If the Sheriff is satisfied that the landlord has failed to comply with the Regulations, they must order the landlord to pay the tenant up to three times the amount of the deposit. In addition they may order the landlord to submit the deposit to an approved scheme. A tenant has up to three months after the tenancy has ended to make an application to the court for sanctions against the landlord.

Any sanctions, imposed as a result of an application by the tenant to a Sheriff for not complying with the Regulations, will apply to the landlord. The landlord may then take action against the agent through the court if there has been a breach of contract.

## How are the deposits held and protected?

A tenant will pay their deposit to the landlord or agent, and the landlord must make sure that the deposit is transferred to SafeDeposits, or one of the other approved tenancy deposit protection schemes, within 30 working days of the tenancy start date. The scheme will hold the deposit in a designated account until it is due to be repaid at the end of the tenancy. This means the deposit will be safe, even if a landlord or letting agent goes out of business.

Once a deposit is protected by SafeDeposits, we write to the tenant, landlord and agent to confirm this. The tenant, landlord or agent can also contact us directly to confirm that the deposit is protected.



Where a dispute is raised over a deposit deduction claimed by a landlord at the end of the tenancy, that part of the deposit cannot be paid out until: the dispute is resolved; the tenant and landlord otherwise reach agreement; or they agree to abandon the adjudication process. Any part of the deposit that is not in dispute will be returned as soon as possible.

## Can deposits be transferred from one scheme to another?

Yes. A landlord can decide to move the deposit from one scheme to another. Where they do, the schemes are required to write to the tenant and landlord to confirm what has happened to the deposit.

## Does a holding deposit (that is, a deposit taken before the tenant and landlord have entered into a tenancy agreement) have to be protected by a scheme?

No. A deposit for the purposes of the tenancy deposit regulations is a sum of money held as security against the tenant not meeting their obligations in connection with a tenancy or occupancy arrangement. This is not the case with a holding deposit.

However if the landlord receives a holding deposit for someone who then becomes their tenant, and the holding deposit becomes the tenancy deposit, the landlord must pay the deposit into an approved scheme.

## Why does information about the landlord's registration with the local authority have to be declared?

It is a legal requirement for most landlords to register with their local authority. SafeDeposits, and the other approved schemes, collect information about whether landlords registering deposits with us are on the local authority landlord register where the property is situated. This information is given to relevant local authorities to assist in the identification of unregistered landlords. Licensing authorities can take appropriate enforcement action where they think it is necessary.

## How is the deposit returned at the end of a tenancy?

In most cases the tenant and the landlord will decide between them, assisted by the agent if one has been involved, how the deposit should be allocated, before contacting SafeDeposits. The landlord must then submit a Proposal for Deposit Repayment to SafeDeposits, giving details about how much of the deposit should be repaid to the tenant. We will send this Proposal for Deposit Repayment to the tenant, asking them to confirm if they agree, or if they wish to dispute the amount. The tenant has 30 working days to respond to the proposal, as per the Regulations. If the tenant agrees with the landlord's Proposal for Deposit Repayment, we will process the deposit repayment within 5 working days. The return of deposits will take longer where the amount is disputed, or either party cannot be contacted, or does not co-operate.

Where no confirmation is received from the tenant at the end of the 30 working days, we will pay the landlord the amount claimed by them within a further 5 working days. Any amount due to the tenant will be held by us in

case it is applied for later. We will keep this money for six years, after which it may be treated as ownerless and fall to be consigned to the Queen's and Lord Treasurer's Remembrancer (QLTR).

## What if the landlord doesn't apply for the return of the deposit?

The tenant may also submit a Proposal for Deposit Repayment, if the landlord has not yet entered one. We then send the tenant's Proposal for Deposit Repayment to the landlord to ask for their response. If the landlord does not respond to the tenant's Proposal for Deposit Repayment, and make an alternative application within 30 working days, we will pay the tenant the full deposit within 5 working days of the end of the 30 working day period.

## Will interest be returned with the deposit?

Interest earned on the deposits held by SafeDeposits is used first and foremost to pay the running costs of the scheme. Any surpluses will be gift-aided to the SafeDeposits Scotland Trust – a grant-giving charity designed to promote education, training and best practice in Scotland's private rented sector. While all tenancy deposit schemes use the interest generated to cover their running costs, SafeDeposits is the only scheme to operate this not-for-profit business model.

## Who can use SafeDeposits?

SafeDeposits is available to all landlords who are required to comply with the Regulations, and any agents acting on behalf of landlords in relation to a tenancy deposit.

## What happens if there is a dispute about the deposit?

Where there is a dispute about how the deposit is to be repaid at the end of the tenancy, SafeDeposits provides independent adjudication as a way to resolve things. This is an alternative to the tenant taking legal action for recovery of a deposit through the court.

This means that if the tenant does not agree with the amount claimed by a landlord



from their deposit, they can ask for the case to be referred to an independent adjudicator. The adjudicator will make a decision about how the deposit should be repaid based on evidence provided by the tenant and landlord, and agent if there is one.

At the end of the tenancy, the landlord and the tenant must make every effort to resolve the dispute between themselves. The landlord and the tenant must be able to show that they have tried to reach agreement over the dispute before referring it to SafeDeposits for adjudication. Failure to do so may result in the dispute being returned to the landlord or the tenant to try and resolve it first.

## Is adjudication compulsory?

No. The tenant can still opt to go to court, or use another form of redress to recover their deposit. However, the landlord is required to use SafeDeposits' dispute resolution where the tenant asks for their case to be sent to adjudication.

Once a Proposal for Deposit Repayment has been entered, a tenant has 30 working days to tell us if they want to go to court instead of using SafeDeposits. If they tell us they want to go to court, we will release the deposit as per the landlord's Proposal for Deposit Repayment. The deposit will be released within 5 working days of receiving the tenant's instruction. SafeDeposits will have no further role to play and it will be for the court to decide how the deposit should be allocated.

## Do the landlord and tenant have to provide evidence to support a dispute?

Both tenants and landlords are asked to provide evidence in support of their claims on the deposit. When we write to you inviting you to submit evidence, we will explain the sort of evidence you may like to submit.

If a landlord or tenant does not provide evidence to support their claim against a deposit, the case will go to adjudication based on the evidence otherwise submitted. Failure to submit evidence to support a claim may affect the decision reached by the adjudicator.

## Why is using Alternative Dispute Resolution better than sending disputes to court?

Deposit disputes need to be resolved quickly and cheaply. Tenants usually need the money as a deposit for their next property, and landlords need to know how much will be available to spend on redecoration, damage or repairs, etc. Going to court takes a long time and can be expensive and stressful. Our successful adjudication process is based on an expert assessment of documentary evidence (which can also include photographs and video).

## What does adjudication entail?

The adjudication process is not investigative. Adjudication is based on the evidence presented by the parties. SafeDeposits will not normally go looking for evidence unless we consider it to be critical to our adjudication process and it has been withheld. Where we do make further enquiries, we will tell the parties and allow them to comment on our findings. We do not hold a hearing, and the adjudicator does not visit the tenancy property.

The dispute resolution process can only deal with disputes over withheld deposits. If the tenant raises issues which are intended to be a counter-claim against their landlord, they must pursue it with the landlord directly and seek independent legal advice should this be necessary. We are unable to take account of any issues raised in a possible counter-claim when deciding how the disputed deposit should be allocated.

We will not deal with disputes which seek to justify a set-off, e.g. where the tenant claims rent was withheld because repairs were not carried out.

We are only able to award up to the amount of the disputed deposit. If the sum claimed is in excess of the deposit we will treat the claims in the order set out in the tenancy agreement, where this has been specified. We will indicate where we believe an award would be appropriate; and if so, how much, up to the extent of the disputed deposit. If the landlord wishes to pursue the tenant(s) for additional sums, they will need to seek further advice on the action they could take.

We are not obligated to accept the costs claimed or incurred by the landlord. Any awards we make are based on what we consider to be the reasonable cost of making good. In determining the amount, we can consider publicly available sources of information such as high street stores, and services and products available on the internet.

Any awards made will take account of the age and quality of the item concerned and the length of the tenancy. An award, if appropriate, is made to compensate a landlord for the loss in value of an item where the loss in value is caused by the tenant during the tenancy. Account will be taken of fair wear and tear during the course of the tenancy. Landlords cannot expect to receive full replacement value or betterment.

We will assume that the parties have stopped negotiating about the dispute when it is submitted to us, unless otherwise informed. We will not accept responsibility for allocating the deposit in accordance with an agreement that the parties have reached between themselves, if we were not made aware of that agreement before the adjudicator started to review the case.

SafeDeposits will not adjudicate on any matters that have been agreed between the parties. We will take into account offers made by either party unless made without prejudice. Once an award has been made, it cannot be challenged by one of the parties purely on the grounds that the other party was previously prepared to make a higher offer than the amount that was awarded.

The deposit belongs to the tenant(s) unless the landlord can establish a valid claim to it, either in whole or in part.

In accepting adjudication by SafeDeposits, the parties agree that this decision is final, subject to the adjudication decision review process described below.

SafeDeposits may allow an 'interested party' to act on behalf of a landlord or tenant. The landlord/tenant must submit written confirmation that they consent to that party acting on their behalf.

## Can the adjudicator's decision be challenged?

Yes. The tenant or landlord has 10 working days from the date they are told of the adjudicator's decision to request a review of it. An application for a review can only be accepted if the adjudicator has erred in fact and/or law – for example, if the adjudicator has ignored evidence that was provided to support the claim. A review will not be accepted simply on the basis that the landlord or tenant does not like the outcome.

Where we receive an application for review, the other party to the dispute will be sent the details for their comment. Where we accept an application for review, the case will then be sent to a new adjudicator, one who was not involved in the original decision. A decision made by this adjudicator, following a review, is final.

## How long does it take to return the deposit once the adjudication has been made?

If no requests for review are received, the deposit repayment must be processed within 5 working days of the end of the 10 working days allowed for a request for review of the adjudicator's decision.

Where a review is undertaken, SafeDeposits must return the deposit within 5 working days of telling the tenant and landlord about the final decision.

## Do all landlords and agents have to use SafeDeposits?

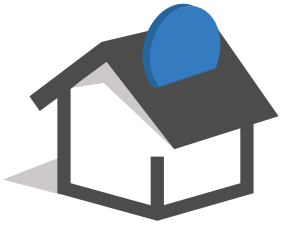
No. They can use one of the other schemes approved for use in Scotland. However, SafeDeposits is based here in Scotland, is operated as a not-for-profit company, is governed by landlord, tenant and letting agent groups, and any surpluses will be donated to the SafeDeposits charitable trust, which will fund education and training programmes to improve standards in the Scottish private rented sector.

## How much does it cost to use SafeDeposits?

Using SafeDeposits is free to landlords, agents and tenants.

Use of the dispute resolution service is free of charge to the landlord and tenant (other than their own costs). The landlord and tenant must bear their own costs of taking part in the dispute resolution service. The adjudicator cannot make any award on costs, including costs incurred by a solicitor or other representative acting on behalf of a party to the dispute.



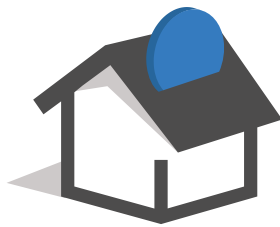


**SafeDeposits  
Scotland**

# WHY CHOOSE US?



# WHO WE ARE



# SafeDeposits Scotland

The private rented sector in Scotland has experienced a significant change in the way landlords and agents deal with tenancy deposits, and SafeDeposits Scotland is excited to be a part of that change.

On 7th March 2011 the Tenancy Deposit Schemes (Scotland) Regulations 2011 came into force. These regulations have changed the way in which landlords and agents must deal with deposits.

Since 2nd July 2012 landlords in receipt of a tenancy deposit are obligated to transfer the deposit to an approved tenancy deposit scheme, such as SafeDeposits, to ensure it is securely held and that any dispute about its eventual return is resolved quickly by an independent party.

SafeDeposits is an innovative partnership between landlords, agents and tenants.

Our members are:

- National Federation of Property Professionals (NFOPP)
- National Union of Students Scotland (NUS Scotland)
- Royal Institution of Chartered Surveyors (RICS)
- Scottish Association of Landlords (SAL)
- The Dispute Service (TDS)

SafeDeposits is governed by people who understand and have a wealth of experience of the Scottish private rented sector. In fact, many of us are currently landlords or have been agents in the past, so we fully understand the challenges that can arise around the return of deposits.

Unlike other tenancy deposit schemes, SafeDeposits is a **not-for-profit** organisation, and any surpluses generated will be gift aided to our related charity, the SafeDeposits Scotland Trust — a grant giving charity designed to promote education, training and best practice in Scotland's private rented sector.

SafeDeposits ensures that:

- all tenancy deposits are securely held and protected;
- all disputes about the return of the deposit are resolved quickly and fairly;
- if required, expert impartial dispute resolution is applied by an independent team of adjudicators, including specialists in Scottish property law;
- our service is achieved without any additional cost to either tenant or landlord.

SafeDeposits aims to provide a service which is as easy to use as possible: landlords and agents can instantly register their deposits or their client deposits free of charge using the simple deposit registration and management system on our website.

We are a Scottish company operating from our central office in Glasgow city centre. Our Glasgow-based call centre is available to answer any questions you may have. They are also on hand to accept deposits and property details, should you not have access to our online system.

Unlike other tenancy deposit schemes, SafeDeposits Scotland is a not-for-profit organisation

## National Federation of Property Professionals



The over-arching aim of NFOPP is to promote the highest standards of professionalism and integrity among those working within the property industry and to encourage members of the public to proactively seek out their members when involved in any kind of property transaction. NFOPP also run some 250 short courses each year covering a wide range of property and industry related subjects, as well as holding a number of specialist conferences and forums throughout the year.

## National Union of Students Scotland



NUS Scotland is the national representative body of 530,000 students studying in further and higher education in Scotland, and is recognised by the Scottish Parliament as the key voice of students in Scotland. They work with trade unions, campaigning and voluntary organisations to influence the Scottish Government and have a track record of winning for students.

## The Scottish Association of Landlords



SAL represents the interests of all landlords and letting agents throughout Scotland. Working with various Holyrood and Westminster government departments, plus Scotland's local authorities, SAL campaigns for recognition of their interests as a profession. SAL provides information, training and advice to their members nationally, and through their local branch network.

## The Dispute Service

TDS is an independent, not-for-profit company established in 2003 to resolve tenancy deposit disputes in the private rented sector in England and Wales. The company has achieved the UK Government Standard for Customer Service Excellence, and won Tenancy Deposit Service of the Year at the PropertyDrum B2B Awards 2012.



## Royal Institution of Chartered Surveyors



RICS provides the world's leading professional qualification in land, property, construction and the associated environmental issues. An independent organisation, RICS acts in the public interest: setting and regulating the highest standards of competence and integrity among their members; and providing impartial, authoritative advice on key issues for business, society and governments worldwide.

# OUR FEATURES

## Tenant changeover function

The return of the deposit at the end of a tenancy can be complicated where one or more joint tenants are moving out, and one or more joint tenants want to remain in the property. We have developed our tenant changeover function to accommodate this, where we will pay the outgoing tenant's 'portion' of the deposit directly to them and move the remaining funds to a new deposit account within SafeDeposits.

## Pre-populated Prescribed Information

Landlords have a two-part duty under the Regulations: to transfer the deposit to an approved scheme, and to provide the tenant with key information about the deposit. We have a template for this, which can be pre-populated through our online system. All you need to do is download the PDF and send it to your tenant(s).

## Online evidence portal

Should you be invited to submit evidence during ADR, you can do so quickly and easily through our evidence portal. You can also view the tenant's evidence online through the portal.

## Bulk upload facility

Landlords and agents with multiple properties can upload deposit details directly to our system through our bulk upload facility. We have a template for the information we require, and at the click of an 'upload' button the deposit details will be registered, and payment can then be made in bulk.

## User-to-user transfer

After a change of management or the sale of a property, landlords and agents can initiate a transfer of the deposit to another landlord's or agent's account. The new landlord/agent simply logs in and accepts the transfer and SafeDeposits will issue new certificates to all parties to reflect the change.

## Communication log

Most of our correspondence with the landlord/agent and tenant(s) is generated automatically, whether it is by email or post. You can see a log of everything we have sent, when we sent it, and to whom it was sent, through a communication log in each deposit summary.

## Tenancy activity

Also viewable in each deposit summary, you can see a history of how a deposit has progressed through the stages (for example, 'Payments sent to SafeDeposits', 'Held by SafeDeposits'), including the dates it moved from stage to stage.

## Alias users

Security is a priority for us and as such we have created an alias user function. Rather than share log in details with staff members, individual logins can be created for the same account. Should you ever need to know which staff member completed a particular action, we are able to check our internal logs.

# OUR FEATURES

## ADR workshops

We are here to support landlords, agents and tenants, and regularly hold events across Scotland which focus on the adjudication process.

## Dedicated call-centre

Like our main offices, our call centre is based in Glasgow city centre. Our experienced advisers are on hand to help with your queries.

## Live Chat facility

Landlords, agents and tenants can speak to a member of our team through instant messenger. Live Chat is available from Monday–Friday, 9am–5pm, and, whether it's a customer service query, technical support, or a question about ADR, our team is happy to help.

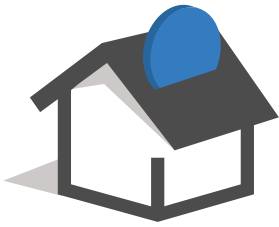
## Guidance documents

From lodging your deposit, through to types of evidence and the ADR process, we have corresponding guidance documents, including screenshots of our system, where appropriate.

## Adjudication digest

Each month our Adjudication digest takes a recent decision by a SafeDeposits adjudicator and sets out the reasons behind it. We hope that you will find these digests informative in understanding how we reach our adjudication decisions.





**SafeDeposits  
Scotland**

# WHEN TO COMPLY

WITH THE TENANCY DEPOSIT SCHEMES (SCOTLAND) REGULATIONS 2011



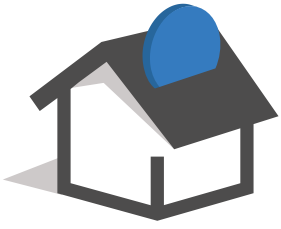
# WHEN TO COMPLY...

When a landlord, or a letting agent acting on behalf of a landlord, takes a tenancy deposit from a tenant, they must transfer the deposit to an approved tenancy deposit scheme within 30 working days from the tenancy start date. Key information must also be provided to all tenants on the tenancy agreement within 30 working days from the tenancy start date.

While the Tenancy Deposit Schemes (Scotland) Regulations 2011 were phased in, since 15th May 2013 all tenancy deposits in Scotland must be held in an approved tenancy deposit scheme. This includes retrospective deposits, which were taken by the landlord or agent before the Regulations were introduced.

If a landlord has missed their deadline for transferring a deposit, we recommend that they transfer it to an approved scheme as soon as possible – however, the tenant can apply to the Sheriff Court for financial sanctions against their landlord for non-compliance with the Regulations. The tenant can apply to the Sheriff Court for up to three months after the tenancy has ended.





**SafeDeposits**  
**Scotland**

# WHAT TO DO NEXT



# WHAT TO DO NEXT...

Once you have registered with SafeDeposits, you can start adding tenancy details to your account and transfer deposits. Before doing so, we recommend that you have the following information to hand.

If you are a landlord, you will need to know:

- tenancy address
- tenant(s) name(s)
- tenant(s) contact details (phone number and email, if available)
- start date of tenancy/when you received the deposit
- amount of deposit
- your landlord registration number

You should also have your tenancy agreement to hand, particularly if you want to pre-fill the **Prescribed Information** document – although you are able to complete this at a later date if you wish.

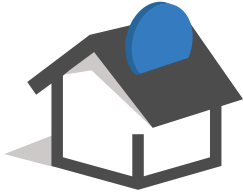
If you are an agent registering the deposit on behalf of a landlord you will need to know:

- all of the above
- the landlord's contact details (address, phone number and email, if available)

Once you have this information together please:

- go to [safedepositsscotland.com](https://safedepositsscotland.com)
- select the Login Online link in the Landlords or Letting Agents section
- log-in using your email/PIN and password
- you will be met with a simple portal which gives you access to all tenancy deposit options
- from there you can start adding tenancy deposits
- after you have paid the deposit to us, don't forget to give your tenant(s) the **Prescribed Information**. We have a template for this, and can also pre-fill it with the information you have given us as part of registering the deposit. Click on the link in the Deposit Summary page, which will appear after you have sent the deposit to us.

There is a bulk upload facility for users with multiple properties. Please select the Import link on the left-hand side of the screen for guidance.



# SafeDeposits Scotland

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T: 03333 213 136

You can download a PDF version of the SafeDeposits Scotland  
Welcome Pack which includes this document from our website at  
[safedepositsscotland.com](http://safedepositsscotland.com)



Company number: 405020