
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 176

The Tenancy Deposit Schemes (Scotland) Regulations 2011

PART 2

Sanctions

Court orders

9.—(1) A tenant who has paid a tenancy deposit may apply to the sheriff for an order under regulation 10 where the landlord did not comply with any duty in regulation 3 in respect of that tenancy deposit.

(2) An application under paragraph (1) must be made by summary application and must be made no later than 3 months after the tenancy has ended.

10. If satisfied that the landlord did not comply with any duty in regulation 3 the sheriff—

- (a) must order the landlord to pay the tenant an amount not exceeding three times the amount of the tenancy deposit; and
- (b) may, as the sheriff considers appropriate in the circumstances of the application, order the landlord to—
 - (i) pay the tenancy deposit to an approved scheme; or
 - (ii) provide the tenant with the information required under regulation 42.

Commencement Information

- I1** Reg. 9 in force at 7.3.2011 in accordance with reg. 1
- I2** Reg. 10 in force at 7.3.2011 in accordance with reg. 1

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Tenancy Deposit Schemes (Scotland) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Pt. 2 heading substituted by [S.S.I. 2017/329 art. 2\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 3(1A) inserted by [S.S.I. 2019/331 reg. 2\(2\)\(a\)](#)
- reg. 3(2A) inserted by [S.S.I. 2019/331 reg. 2\(2\)\(b\)](#)
- reg. 22(2)(f) and word inserted by [S.S.I. 2019/331 reg. 2\(3\)\(b\)](#)
- reg. 25(1)(f) and word inserted by [S.S.I. 2019/331 reg. 2\(4\)\(b\)](#)
- reg. 25(3) inserted by [S.S.I. 2019/331 reg. 2\(4\)\(c\)](#)
- reg. 42(4) inserted by [S.S.I. 2019/331 reg. 2\(6\)](#)