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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2011 No.**

**The Tenancy Deposit Schemes (Scotland) Regulations 2011**

**PART 8**

Performance reporting

**Duty to provide annual report to the Scottish Ministers**

**45.**—(1) By 15th May following the end of each financial year, the scheme administrator must send to the Scottish Ministers a report of the operation of the approved scheme and of the performance of the scheme administrator during that financial year.

(2) The report must include the following information—

- (a) the number of tenancy deposits paid to the scheme;
- (b) the total value of tenancy deposits held in designated accounts at the end of the financial year in question;
- (c) the total value of tenancy deposits repaid to tenants;
- (d) a statement of the financial position of the scheme, including a set of independently audited accounts and a breakdown of income and expenditure during the financial year assessed against the projected income and expenditure for that year;
- (e) a statement of how accrued interest has been distributed, applied or invested during the financial year;
- (f) a forecast budget for the following financial year;
- (g) details of all referrals to the dispute resolution mechanism including—
  - (i) the number of referrals requested by landlords;
  - (ii) the number of referrals requested by tenants;
  - (iii) the basis of the dispute;
  - (iv) the time taken to resolve the dispute;
  - (v) the outcome of the referral; and
  - (vi) the time taken to repay the deposit in accordance with the decision;
- (h) details of any complaints received about the scheme including any relating to the dispute resolution mechanism.