



Deregulation Act 2015

2015 CHAPTER 20

Housing and development

30 Tenancy deposits: provision of information by agents

- (1) The Housing (Tenancy Deposits) (Prescribed Information) Order 2007 ([S.I. 2007/797](#)) is amended as follows.
- (2) In article 2 (prescribed information relating to tenancy deposits), after paragraph (2) insert—
 - “(3) In a case where the initial requirements of an authorised scheme have been complied with in relation to the deposit by a person (“the initial agent”) acting on the landlord’s behalf in relation to the tenancy—
 - (a) references in paragraph (1)(b), (g)(iii) and (vii) to the landlord are to be read as references to either the landlord or the initial agent;
 - (b) references in paragraphs (1)(d), (e), (g)(iv) and (vi) and (2) to the landlord are to be read as references to either the landlord or a person who acts on the landlord’s behalf in relation to the tenancy.
 - (4) In any other case, references in paragraphs (1)(d), (e), (g)(iv) and (vi) and (2) to the landlord are to be read as references to either the landlord or a person who acts on the landlord’s behalf in relation to the tenancy.
 - (5) Section 212(9)(a) of the Act (references to landlord include persons acting on landlord’s behalf) does not apply for the purposes of this article.”
- (3) After article 2 insert—

“3 Article 2(3) to (5): transitional provisions

- (1) Paragraphs (3) to (5) of article 2 are treated as having had effect since 6th April 2007, subject to the following provisions of this article.
- (2) Paragraphs (3) to (5) of article 2 do not have effect in relation to—

Status: This is the original version (as it was originally enacted).

- (a) a claim under section 214 of the Act or section 21 of the Housing Act 1988 in respect of a tenancy which is settled before the commencement date (whether or not proceedings in relation to the claim have been instituted), or
 - (b) proceedings under either of those sections in respect of a tenancy which have been finally determined before the commencement date.
 - (3) Paragraph (5) applies in respect of a tenancy if—
 - (a) proceedings under section 214 of the Act in respect of the tenancy have been instituted before the commencement date but have not been settled or finally determined before that date, and
 - (b) because of paragraphs (3) to (5) of article 2, the court decides—
 - (i) not to make an order under section 214(4) of that Act in respect of the tenancy, or
 - (ii) to allow an appeal by the landlord against such an order.
 - (4) Paragraph (5) also applies in respect of a tenancy if—
 - (a) proceedings for possession under section 21 of the Housing Act 1988 in respect of the tenancy have been instituted before the commencement date but have not been settled or finally determined before that date, and
 - (b) because of paragraphs (3) to (5) of article 2, the court decides—
 - (i) to make an order for possession under that section in respect of the tenancy, or
 - (ii) to allow an appeal by the landlord against a refusal to make such an order.
 - (5) Where this paragraph applies, the court must not order the tenant or any relevant person (as defined by section 213(10) of the Act) to pay the landlord's costs, to the extent that the court reasonably considers those costs are attributable to the proceedings under section 214 of the Act or (as the case may be) section 21 of the Housing Act 1988.
 - (6) Proceedings have been “finally determined” for the purposes of this article if—
 - (a) they have been determined by a court, and
 - (b) there is no further right to appeal against the determination.
 - (7) There is no further right to appeal against a court determination if there is no right to appeal against the determination, or there is such a right but—
 - (a) the time limit for making an appeal has expired without an appeal being brought, or
 - (b) an appeal brought within that time limit has been withdrawn.
 - (8) In this article “the commencement date” means the date on which the Deregulation Act 2015 is passed.”
- (4) The amendments made by this section to the Housing (Tenancy Deposits) (Prescribed Information) Order 2007 ([S.I. 2007/797](#)) do not affect a power to use subordinate legislation to amend or revoke that Order.
- (5) In subsection (4), “subordinate legislation” has the same meaning as in the Interpretation Act 1978.