
EXPLANATORY NOTE

(This note is not part of the Order)

Under section 212 of the Housing Act 2004 (“the Act”) the appropriate national authority (being, in England, the Secretary of State, and in Wales, the National Assembly for Wales) must make arrangements for securing that one or more tenancy deposit schemes are available for the purpose of safeguarding tenancy deposits paid in connection with shorthold tenancies.

Section 213 of the Act sets out requirements relating to tenancy deposits. Where a landlord receives a deposit in connection with a shorthold tenancy, he must, within 14 days of the date on which the deposit is received, comply with any initial requirements imposed by the scheme and give prescribed information to the tenant and any person who paid the deposit on behalf of the tenant.

This Order, which applies to England and Wales, prescribes the information that the landlord is required to give. The information relates to the authorised tenancy deposit scheme applying to the deposit, to compliance by the landlord of any initial requirements imposed on him by the scheme and to the operation of the provisions contained in sections 212 to 215 and Schedule 10 of the Act.

A full regulatory impact assessment of the effect that this Order will have on the costs of business is available from the Private Renting and Leasehold Division of the Department for Communities and Local Government, 2/J10 Eland House, Bressenden Place, London, SW1E 5DU (telephone 0207 944 3624, e-mail tenancy.deposits@communities.gsi.gov.uk).