
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Tenancy Deposit Schemes (Scotland) Regulations 2011

PART 5

Procedures for payment, holding and repayment of deposits

Repayment by the scheme administrator where there is a disputed amount

32.—(1) Paragraphs (2) and (3) apply where the landlord and tenant agree to use the dispute resolution mechanism made available by the scheme administrator.

(2) If the scheme administrator is notified that the dispute resolution process has been abandoned before a decision has been made by the adjudicator, the scheme administrator must within 5 working days of that notification repay the tenancy deposit—

- (a) where the parties have reached an agreement, in accordance with that agreement; or
- (b) in any other case, in accordance with the amounts specified in the landlord's application.

(3) On receipt of an adjudicator's decision, the scheme administrator must allow 10 working days for receipt of any request for review of that decision (in terms of regulation 37) and, unless such request is received in that period, must then repay the tenancy deposit in accordance with that decision within the following 5 working days.