

*These notes refer to the Localism Act 2011 (c.20)
which received Royal Assent on 15 November 2011*

LOCALISM ACT 2011

EXPLANATORY NOTES

COMMENTARY

Part 7: Housing

Chapter 6: Other Housing Matters

Section 184: Tenancy deposit schemes

405. **Section 184** amends the tenancy deposit provisions in the Housing Act 2004. It amends section 213(3) and (6) of that Act to extend the time limits within which a landlord must comply with the requirement to protect a deposit taken in connection with an assured shorthold tenancy in accordance with the rules of a tenancy deposit scheme and within which a landlord must provide prescribed information to the tenant from 14 to 30 days. It amends section 214(1)(a) and (2) of the Housing Act 2004 to make clear that penalties for non-compliance will apply when the landlord has not complied within those time limits. It inserts subsections (2A) and (3A) into section 214 of the Housing Act 2004 to clarify that penalties for non-compliance will also apply when the tenancy has ended and to make clear what order the court may make as regards the deposit in those circumstances. Section 214(4) of the Housing Act 2004 is amended to give the courts discretion about the level of the penalty that may apply. Finally, in section 215 of the Housing Act 2004, subsections (1) and (2) are amended and subsection (2A) inserted to clarify that landlords are able to seek possession under section 21 of the Housing Act 1988, where the deposit is not held in a tenancy deposit scheme or the time limits have not been complied with, provided action has been taken to rectify the situation.