

*These notes refer to the Deregulation Act 2015 (c.20)  
which received Royal Assent on 26 March 2015*

## **DEREGULATION ACT 2015**

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### **EXPLANATORY NOTES**

#### **COMMENTARY ON SECTIONS**

#### ***Section 32: Tenancy deposits: deemed compliance with requirements***

#### **New section 215B Shorthold tenancies: deposit received on or after 6 April 2007**

175. New section 215B is intended to deal with the issue mentioned at paragraph 168 above. It covers cases where a landlord “receives” a deposit on or after 6 April 2007 (which could be at the start of a brand new tenancy or at the start of a renewed tenancy – see subsection (3)) and subsequently protects that deposit and sends the required information to the tenant. If the tenancy is subsequently renewed or rolls over into a statutory periodic tenancy, then so long as the deposit remains protected in accordance with the same authorised tenancy deposit scheme from one tenancy to the next, subsection (2) makes clear that there is no requirement for the landlord to re-send the same information to the tenant each time the tenancy is renewed or rolls over: the landlord will be treated as having complied with the tenancy deposit protection requirements afresh at the start of each new tenancy. Subsection (1)(d) and (e) make clear that subsection (2) applies not just to the first “renewal” of the tenancy but also to cases where there are multiple tenancy renewals, which could include a mixture of fixed term tenancies and periodic tenancies.
176. By virtue of new section 215C(1), this section is treated as having had effect since 6<sup>th</sup> April 2007 subject to the exception provided for in section 215C(2) (see commentary on new section 215C).