

*Status: Point in time view as at 01/06/2019.*

*Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019, Cross Heading: Requirement to repay holding deposit. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### TREATMENT OF HOLDING DEPOSIT

##### *Requirement to repay holding deposit*

- 3 Subject as follows, the person who received the holding deposit must repay it if—
- (a) the landlord and the tenant enter into a tenancy agreement relating to the housing,
  - (b) the landlord decides before the deadline for agreement not to enter into a tenancy agreement relating to the housing, or
  - (c) the landlord and the tenant fail to enter into a tenancy agreement relating to the housing before the deadline for agreement.

##### **Commencement Information**

**11** Sch. 2 para. 3 in force at 1.6.2019 by S.I. 2019/857, reg. 3(aa)

- 4 If paragraph 3 applies, the deposit must be repaid within the period of 7 days beginning with—
- (a) where paragraph 3(a) applies, the date of the tenancy agreement,
  - (b) where paragraph 3(b) applies, the date on which the landlord decides not to enter into the tenancy agreement, or
  - (c) where paragraph 3(c) applies, the deadline for agreement.

##### **Commencement Information**

**12** Sch. 2 para. 4 in force at 1.6.2019 by S.I. 2019/857, reg. 3(aa)

- 5 (1) The person who received the holding deposit must repay it if—
- (a) that person believes that any of paragraphs 8 to 12 applies in relation to the deposit, but
  - (b) that person does not give the person who paid the deposit a notice in writing within the relevant period explaining why the person who received it intends not to repay it.
- (2) In sub-paragraph (1) “the relevant period” means—
- (a) where the landlord decides not to enter into a tenancy agreement before the deadline for agreement, the period of 7 days beginning with the date on which the landlord decides not to do so;
  - (b) where the landlord and tenant fail to enter into a tenancy agreement before the deadline for agreement, the period of 7 days beginning with the deadline for agreement.

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**Commencement Information**

**I3** Sch. 2 para. 5 in force at 1.6.2019 by S.I. 2019/857, reg. 3(aa)

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