

## Rules affecting single people under 35

Housing Benefit changes being introduced from January 2012 mean most single people under the age of 35 will have their housing benefit based upon the Shared Accommodation Rate. The shared accommodation rate is based upon rents for accommodation where there is sole use of a bedroom and shared use of other rooms e. g. kitchen and bathroom. It may not represent the average level of rents for such accommodation and the shared accommodation rate will be applied irrespective of the type of property you live in.

The current rate can be found on the Housing Benefit page of the Council's website. You can also find out which rate would apply to your accommodation on <https://lha-direct.voa.gov.uk/search.aspx>

There are extra rules if you are a care leaver aged under 22, severely disabled, certain ex-offenders and some people who have lived in homeless hostels for three months or more.

This means that if you are a single person under 35 dependent on housing benefit and looking for private rented accommodation you will only be entitled to housing benefit up to the maximum LHA for a room in a house share. Some of these options are outlined on page 7.

## Disclaimer

**This leaflet is not a statement of the law. Nor does it cover every situation. If you are in doubt about your legal rights or obligations you should seek further advice from our Housing Advice Service, the Citizens Advice Bureau, or an independent solicitor.**

**Every effort has been made to ensure that this information is correct at the time of publication, however changes will arise from time to time. If you have any comments or ideas on how the leaflet could be improved please let us know.**

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**EPSOM  
&  
EWELL**  
BOROUGH COUNCIL



# Renting in the Private Sector

**Telephone: 01372 732000**  
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**www.epsom-ewell.gov.uk**

**If you would like a copy of this document in large print, on tape or in Braille, please contact 01372 732000**

**If you require a translation in your language, please contact:**

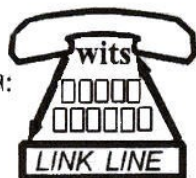
ਜੇਕਰ ਤੁਹਾਨੂੰ ਆਪਣੀ ਜ਼ਬਾਨ 'ਚ ਅਨੁਵਾਦ ਚਾਹੀਦਾ ਹੈ, ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਸੰਪਰਕ ਕਰੋ:

જો તમને પોતાની ભાષામાં ભાષાંતર જોઈએ છે, તો મહેરબાની કરીને સંપર્ક સાધો:

Se necessitar de uma tradução, contacte por favor:

যদি আপনার নিজের ভাষায় অনুবাদ চান তাহলে অনুগ্রহ করে যোগাযোগ করুন:

اگر آپ کو ترجمہ اپنی زبان میں چاہئے تو براہ کرم مہرمانی رابطہ کریں۔



**01483 750548**

## How Housing Benefit is paid

Housing Benefit for private sector tenants is generally paid to the claimant fortnightly in arrears. It is a good idea to set up a separate bank account just for the payment of your rent.

However Housing Benefit can still be paid to the landlord if:

- if a tenant falls into arrears of eight weeks or more. Written proof of arrears will be required and so landlords should ensure they keep detailed records of the rent account.
- If the Council's decides it will prevent homelessness by assisting a claimant in securing or retaining a tenancy
- If a claimant is vulnerable and will experience great difficulty managing rental payments. If a claimant and their representative feels they are vulnerable, benefit can be paid to the landlord.

Any request for payment to a landlord will need to be supported by evidence from a third party. Evidence from a landlord alone cannot be considered sufficient and a decision to pay a landlord must be reviewed periodically.

## Information required to process your Housing Benefit Claim

In order to process your claim the Housing Benefit section will ask to see original documents in support of your claim. This will be copied and returned to you.

You will need to provide:

- **Proof of Identity** for yourself and partner if you are living with someone (e.g. birth certificate or passport,)
- **National Insurance Number(s)** (e.g. national Insurance card, wage slip)
- **Proof of Income** for you and your partner, including any benefit you may receive (5 consecutive weekly/2 monthly wage slips)
- **Proof of Savings** (e.g. two consecutive months bank /building society statements or an up to date pass book)
- **An original signed copy of your tenancy agreement** or signed statement of rent, which is included as tear off slip on the Housing Benefit form.



## Contents

Those not covered by the LHA are Council tenants; Housing Association tenants; Tenants with a registered 'fair rent'; Pre 1989 tenancies; Tenancies provided by charitable or voluntary organisations which include care, support or supervision; Tenants of caravans, mobile homes and house boats.

### How to make a claim

Housing Benefit is administered by the local council in whose area the rented property is located. You should fill in the Council's form even if you have completed a form when you made your claim for Income Support. Ensure that you fill in the form accurately and complete all sections in full. If you need help with this, ask the Benefits Section.

### When to make a claim

You must hand in your claim form to the Benefits Section as soon as you move into your new home. If your claim is even a few days late, you may lose benefit!

The Benefit Section will need other information such as a copy of your tenancy agreement, proof of your income, and savings etc. You will be told what else you need to supply when you hand in the form. If you can not supply all of the documents needed straight away, still put your claim form in and you will be allowed up to four weeks to supply the other information. Your claim will then be assessed and any benefits which you are entitled to will be granted from the Monday following the date that the application form was handed in.

### What housing benefit covers

Housing Benefit is only assessed on the "eligible rent" and will not include:

- Deposit Money
- Money for bills, such as electricity, gas, water etc
- Payment for meals that you may be provided with
- Your landlord may still want money for these expenses but it is your responsibility to pay these costs from your own money.

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## Introduction

This leaflet has been produced to help you find privately rented accommodation. It will advise you on the types of accommodation available, how to go about looking for private rented accommodation, and what sort of security of tenure, rights and tenancy conditions, private rented tenants may have.

As well as looking for private rented accommodation you may also want to consider applying to the Council to put your name on the Housing Needs Register. Listed below is some more information about this type of social housing. Please be aware that the Housing Needs Register is a waiting list and is generally unable to assist with rehousing quickly or in emergencies. If you have a more urgent housing problem you may wish to seek advice on your alternative housing options. Please contact Housing Services to arrange an appointment.

## Housing Needs Register and Home Choice

There are no council houses in Epsom & Ewell as the housing stock was transferred to Rosebery Housing Association in February 1994. Low cost rented housing, or 'affordable housing', is provided by a number of different housing associations, the largest of which is Rosebery Housing Association.

The Council has 'nomination rights' to a percentage of the housing associations' vacancies and, in order to decide who will be put forward for each vacancy, the Council operates a Housing Needs Register. This is a waiting list for people in the Borough who are in need of low cost rented accommodation. When a property becomes available it is advertised through the Council's choice based letting system, Epsom & Ewell Home Choice, [www.eebc-homechoice.org.uk](http://www.eebc-homechoice.org.uk).

Epsom & Ewell Home Choice is a way of allocating Housing Association properties that gives our applicants more choice over where they want to live. Every week we advertise any vacancies on the Home Choice website and an automated telephone service. Applicants can see a full range of available properties and apply or bid for any to which they are matched. The successful applicant will be the person with the highest points for the property they have bid for who meets the lettings criteria for the property.

## Local Housing Allowance

Those people renting from a private landlord and changing address, or making a new Housing Benefit claim, will have their benefit calculated from the Local Housing Allowance (LHA).

The Valuation Office Agency will set a flat rate LHA for properties in the broad market area based upon the number of bedrooms. This will form the starting point of the LHA calculation. Entitlement will still be assessed taking into account a claimant's income and personal circumstances and thus may be paid at a rate lower than the Valuation Office Agency's figure.

The LHA for differing sizes of accommodation will be set by the Valuation Office Agency and the details will be publicised locally by the Housing Benefit Section. The LHA will be the rate for the month in which the claim starts. Unless there is some relevant change (eg, the birth of a child), the LHA will be unchanged for 52 weeks.

The current rate can be found on the Housing Benefit page of the Council's website. You can also find out which rate would apply to your accommodation on <https://lha-direct.voa.gov.uk/search.aspx>. **If you are not sure which rate applies to your household please ask Housing Benefit.**

The rate is based on how many bedrooms are required for the number of people living in the property. It allows one bedroom for:

- An adult couple
- An adult aged 16 or over
- Any two children of the same sex aged under 16
- Any two children regardless of sex aged under 10
- Any other child.

It is only the number of bedrooms that are counted. The number of living rooms, bathrooms etc, are not taken into account. Therefore, a single parent with a daughter aged 12 and a son aged 8 will have their benefit calculated from the LHA for a three bedroom accommodation.

A maximum of four bedrooms can be considered in your application, even if the size of your family would normally need more than four bedrooms.

NB: Most **single persons households aged under 35** will have their housing benefit based upon the Shared Accommodation Rate only. This is where they have sole use of a bedroom and shared use of others facilities i.e. one room in a shared house/flat. Please see page 20 for more information.



decorative and interior parts of the premises.

## Harassment and Illegal Eviction

Some landlords try to make life difficult for tenants because they want them to leave, perhaps by withdrawing services such as gas and electricity, denying access to part of the accommodation or by threatening violence. This is known as harassment. If the landlord actually throws a tenant out, changes the locks while they are out or otherwise gets a tenant to leave without serving the correct notice or going through the proper legal procedure, this is illegal eviction. Harassment and illegal eviction are criminal offences. Landlords can be prosecuted under the Protection from Eviction Act 1977 and/or the Protection from Harassment Act 1997.

## Housing Benefit

This section is not a complete guide to the Housing Benefit System. It gives you some of the most important points to help you with your claim. If you need more information or have a general question, telephone the Housing Benefit Section on 01373 732000.

### What is Housing Benefit & who can claim it?

Housing Benefit is a national scheme to assist those on low incomes to meet their rent payments. It is administered by local authorities and can be claimed by those on income support, jobseeker's allowance, incapacity benefit, employment support allowance or pension credit, as well as others with a low income, subject to the relevant criteria being met. If you are unsure whether or not you are entitled to Housing Benefit, make a claim and find out.

The amount you may get will depend on how much income and savings you have, your personal circumstances (eg your age, household size and how many children) and the amount of rent you are charged.

In many cases, Housing Benefit does not cover all of the claimant's rent and so they may have to make up the shortfall themselves. Housing Benefit is also called 'rent rebate' for council tenants and 'rent allowance' for private tenants and tenants of housing associations/registered social landlords

## HomeBuy

HomeBuy is a scheme that makes it easier for local authority tenants, housing association tenants, and people on the Housing Needs Register to purchase a home. The HomeBuy scheme has three parts:

- **New Build HomeBuy:** shared ownership of the home with a housing association
- **Open Market HomeBuy:** part-purchase of a property with the rest funded by an equity-loan from a housing association
- **Social HomeBuy:** assistance for housing association and local authority tenants to buy their current home.

Epsom & Ewell Borough Council work with [Catalyst Housing Group](http://www.catalysthomebuy.org.uk), the Government appointed Homebuy Agent covering the Surrey area, to promote the HomeBuy initiative and all the available options. You can contact them on 0845 601 7729 or online at [www.catalysthomebuy.org.uk](http://www.catalysthomebuy.org.uk). More details about the options and schemes are available on this website. You will also need to be on the Council's Housing Needs Register.

## Finding private rented accommodation

Private renting can be much more flexible than other forms of housing, with periodic and fixed terms, short and long lets available. You may be able to find and move into a property in the private sector very quickly.

You could consider looking for accommodation through:

- **Personal Contacts:** Ask your family, friends and work colleagues
- **Shop Windows and Notice Boards:** Landlords will often advertise accommodation vacancies on cards in shop windows. Newsagents' shops are often good for this type of advertisement
- **Newspapers:** Try looking in local free newspapers, especially if you want to live in a particular area
- **Self-Advertising:** You could try to advertise what you are looking for by placing a card in a shop window

- **Accommodation and Letting Agencies:** These agencies can provide a service for people looking for accommodation, although they usually charge for this. A list of local agents is available from Housing Services
- **The Internet:** The Internet is a very quick, easy and effective way of finding accommodation. There are a number of accommodation websites that may be useful, such as [www.rightmove.co.uk](http://www.rightmove.co.uk), or [www.findaproperty.com](http://www.findaproperty.com). These allow you to enter the area, type of property, and amount of rent you can afford – then search for a home using these criteria. If you do not have access to the internet at home, you may wish to go to your local library or the Town Hall and use the internet facilities available there
- **Flat and room share websites:** such as [www.flatmaterooms.co.uk](http://www.flatmaterooms.co.uk) or [www.flateshare.com](http://www.flateshare.com) .

## Be prepared

- When looking for private rented accommodation it is important to get regular information about vacancies and to follow them up the same day or as soon as possible thereafter
- A local street map and a bus guide will help you find accommodation addresses and help assess the ease and cost of travel. Free copies are available from the Town Hall reception area
- As lettings can be made so quickly, you should aim to visit and decide whether a property is suitable without delay. You should have money and references organised in case you decide you want the accommodation
- Many landlords/agents require prospective tenants to provide one or more references from previous landlords, bank managers or employers. Rent in advance and a deposit are usually required, and prospective tenants may also be asked to pay an agency or holding fee. You may also be credit checked and have to pay a fee for this
- If you are on a low income and/or will be claiming Housing Benefit the landlord may require a guarantor. Ask family or friends whether they would be prepared to stand as a guarantor for you.

Licences (where other people in the household have an unrestricted right to enter the accommodation); accommodation provided as part of a job for the better performance of that job (e.g. caretaker); accommodation provided by a friend or family where there was no intention to create a legally binding agreement; accommodation where there is a resident landlord who lives in the same building; accommodation rented from a college or other educational institution and holiday lets.

Occupiers who fall into any of the above categories are likely to be occupiers with basic protection or excluded occupiers. These types of occupiers have very limited rights and landlords can usually regain possession very easily.

## Other rights of private tenants

### Name and address of the landlord

Private tenants have a legal right to know the name and address of their landlord. A tenant has a right to this information under s. 1 of the Landlord and Tenant Act 1985.

### Rent Book

It is good practice for all tenants to be issued with a rent book in order to keep a record of payments made and for tenants who pay rent weekly this is a legal requirement. There is no obligation upon the landlord to provide receipts unless rent is payable weekly, so if possible it is advisable to avoid paying in cash so that records can be kept of payments made.

### Discrimination

As the private rented sector is not regulated, it is sometimes the case that landlords and letting agents engage in discriminatory practices, both in selecting tenants and in the treatment of existing tenants. If you would like more information on your rights in relation to race, sex & disability discrimination please contact the Housing Adviser in Housing Services.

### Repairs

Landlords are responsible for keeping the structure and exterior of the property free from disrepair and to keep in repair and proper working order the installations in the property for the supply of water, gas, electricity, sanitation, space heating and heating water. Depending on the terms of the tenancy, tenants responsibilities will generally only extend to the

an assured tenancy. This will be the case even if no written tenancy agreement has been provided. Assured shorthold tenancies can either be for a fixed term (usually 6 or 12 months), or periodic (rolling from week to week, or month to month).

During the first six months of the tenancy (whether there is a fixed term or not), landlords cannot automatically regain possession of the property. They can only do so if they can prove a ground for possession to the court (e.g. rent arrears). However, after the first six months, landlords can regain possession by serving a minimum of two months written notice. Tenants will not have to leave at the end of the notice period, but can stay until the court has granted a possession order. However, if they stay they may be liable for the landlord's costs in having to go to court. If the correct notice has been served, the court must grant a possession order.

Tenancies started between 15 January 1989 and 27 February 1997, tenancies will only be assured shorthold tenancies if a section 20 notice was served at the start of the tenancy. This is a special legal form to say that the tenancy was to be an assured shorthold rather than an assured tenancy. If this notice was not served or did not contain the specified information it is likely that the tenancy will be assured.

## Assured Tenants

Assured tenants have greater security of tenure than assured shorthold tenants. If you are an assured tenant you can only be evicted if your landlord can prove a reason (or 'ground') to the court. Firstly, the landlord must give you a written notice seeking possession. The notice must be in the prescribed form and has to be for a set length of time and inform you that the landlord can apply to the court for a possession order once it expires. The length of time on the notice can be either 14 days or two months, depending on the reasons for the eviction. However, if your landlord wants to evict you because they say you have been involved in serious nuisance, antisocial behaviour, or domestic violence, they can apply to the court immediately and can ask it to dispense with the need to serve a notice. The reasons for possession are split into two groups, known as 'mandatory grounds' and 'discretionary grounds'. Once the notice has expired the landlord must apply for a court hearing and it is then up to the judge to decide whether the grounds have been met.

There are some types of private sector lettings which cannot be assured or assured shorthold tenancies, including:

## Types of accommodation

There are various types of private rented accommodation available, including:

- **Self-contained houses/flats:** A self-contained property that is let out by a private landlord/agent
- **Studios:** Studios are more self-contained than a bedsit and are usually made up of a bedroom/lounge all in one room with a separate bathroom & kitchenette
- **Shared houses or flats:** A room in a house or flat, sharing the use of the kitchen, bathroom and lounge with others. Often properties can be let to a group who will rent a whole property or the landlord may let out rooms on an individual basis
- **Bedsits:** A bedsit is usually made up of a bedroom/living room containing its own cooking facilities while amenities such as the bathroom/WC may be shared with other tenants
- **Lodgings:** These are rooms in the landlord's own home, often with a family. You will either have use of the kitchen or meals may be provided
- **Houses in Multiple Occupation (HMO):** If a property is rented out to more than one household it may be classified as an HMO. HMO's include bedsits, shared houses and lodgings. HMO's are covered by additional legislation which requires them to have adequate facilities and safety procedures. If you think that the property is unsafe or not fit to live in you should approach the Environmental Health Service at the Town Hall.

## What to consider when viewing a property?

Try to take a friend or member of your family with you when you go to view accommodation. It is helpful to have a second opinion and it is also safer. Always make sure that someone knows where you are going and what time to expect you back.



## Health and Safety

Health and safety law covering private rented accommodation, and especially shared houses, is very complicated. The following is a list of the main things to consider:

- **Gas Appliances** - Landlords are legally responsible for making sure that pipe work, appliances and flues provided for tenants are maintained in a safe condition and checked for safety every year. A [Gas Safe registered engineer](#) must carry out the safety check in the properties in Great Britain and the Isle of Man every 12 months. The landlord must give tenants a copy of the [gas safety certificate](#) within 28 days of it being carried out or before they move in. Landlords are also obliged to show tenants how they can turn off the gas supply in the event of a gas leak.

Do not take accommodation where the gas appliances have not been checked in the last 12 months - you may be putting your life in danger

- **Heating** - Ensure that there is adequate heating and that it is in good working order. This is particularly important if you view the property in the summer - it may be very cold in the winter
- **Electrical Wiring** - Look out for badly fitted sockets, hanging flexes, bare wires, very old looking sockets/wiring/light fittings. If you are unsure about the safety of the electrics ask the landlord to have them checked by a qualified electrician
- **EPC** - As from 1 October 2008 your landlord must give you an Energy Performance Certificate
- **Damp** - Damp properties can cause health problems. Check for mould growth, peeling wall paper, and damp smells
- **Windows** - Check that they open and close. This is important for ventilation and as a possible means of escape in case of fire
- **Kitchen and Bathroom** - Check that all the taps work and that the WC flushes. Check that the cooker & fridge are in good working order
- **Furniture** - If you are looking at a property which is currently occupied make sure you ask which furniture is provided by the landlord and that

allowing the tenant to give notice they can be held liable for the rent for the remainder of the fixed term

- who you should contact if there are any problems during the tenancy.

Tenants of assured shorthold tenancies which started after 28 February 1997 have the right to ask for a written statement of certain terms and conditions, which are:

- the date the tenancy started
- the rent payable and the dates of payment
- any provision for rent review
- the length of any fixed term.

## Types of Tenancies and Licences

If you are about to move into private rented accommodation you should be aware of the tenancy or licence rights you are likely to have before moving. There are various forms of tenure which it is possible to have in the private rented sector and this will impact on your housing rights. The vast majority of private tenants are assured shorthold tenants but it is possible to have a different type of tenancy or licence. This will usually depend on the sort of accommodation you live in and when your tenancy started. You may not necessarily have the type of tenancy or licence that your agreement or your landlords, says you have.

### Licences

People that live in the same house or flat as their landlord have a licence to occupy rather than a tenancy and therefore have very limited protection from eviction, however a landlord cannot evict a licensee without serving the correct type of notice. The landlord must either give the contractually agreed notice or, if there is none, reasonable notice. The landlord does not need a court order.

### Assured Shorthold Tenancies

Since 28 February 1997 most new private sector tenancies (were there is no resident landlord) will automatically be assured shorthold tenancies, unless the tenancy agreement specifically states that the tenancy is to be



## Security of Tenure - Housing Rights

If your landlord wants you to sign a tenancy agreement make sure you know what you are signing. Any reasonable landlord will allow you to take a copy away for 24 hours so that you can seek advice. The Housing Options Adviser at the Town Hall is available to look through contracts and explain the implications.

Tenancy or licence agreements may be written or verbal. Verbal agreements are as legally binding as written ones. However, it is advisable to get an agreement in writing so that it is clearer where each party stands. Tenancy agreements cannot take away from tenants the rights granted by Acts of Parliament, even if the tenancy agreement says otherwise

Although in theory the terms of a tenancy agreement may be negotiated between the landlord and the prospective tenant. In practice you may not have much scope to negotiate favourable terms. However, any terms which are unfair may be challenged using the Unfair Terms in Consumer Contracts Regulations. If practicable, before you sign an agreement, you should read it carefully and check:

- what type of agreement are you signing, is the letting for a fixed term and if so, for how long
- what do you have sole use of, what facilities do you share with others, the amount of rent and whether it includes payments for council tax, gas, electricity, water and services such as laundry or telephone
- how often the rent is due, and the date on which it is payable
- how often can the landlord increase the rent
- the amount of the deposit and how it will be protected
- if there are any other charges payable
- what are your obligations to repair and decorate the property
- what happens if you want to leave. You may want to ask the landlord to include a right for you to end the tenancy with for example, one month's notice. This is known as a break clause. It is particularly important for fixed term tenancies, because if there is no clause

it conforms to the current safety standard

- **Repairs** - If a landlord or agent promises to carry out repairs or changes which you require, ask for these to be confirmed in writing and check they are done before you move in
- **Cleanliness** - Does the property look clean and well cared for?

**NOTE:** Remember this is only a brief list of some of the main points to consider. If you are unsure or would like more information about health and safety standards in private rented accommodation, you should contact Environmental Health Services at the Town Hall.

## If you are renting a room only

- Look at the whole property, not just the room
- Are the facilities adequate for the number of people?
- Is the room large enough? This is particularly important if you will be spending a lot of time in the room or if there is no communal lounge
- Can you meet the other people? If you are going to be sharing facilities, it helps if you get on with the other occupants
- Is the cost of the bills included in the rent?
- If the bills are extra, how is it decided how much you will have to pay? How often and to whom is this amount payable?

## Rent

Private rents in this area tend to be quite high, so it may be worth trying to negotiate a lower rent with the landlord.

Think about whether you can you afford to pay the rent. If you intend to claim Housing Benefit check to see whether the rent is within the Local Housing Allowance rate for the size and area. This will help you decide if you can afford to rent the property before you accept the tenancy. Check if the rent includes bills such as electric/gas/water/council tax, or are these extra. How is the rent to be paid and at what interval - weekly, monthly or per calendar month. Remember if your rent is due weekly you are entitled to a rent book and don't forget to obtain a receipt for any cash payments.

## Tenancy Deposit Protection

Most landlords require a deposit, usually the equivalent of one month's rent, and one month's rent in advance in order to secure a property.

From 6 April 2007, any deposit taken from a private tenant for an assured shorthold tenancy must be protected by the landlord or agent using a government authorised tenancy deposit scheme.

There are three types of Tenancy Deposit Schemes:

### **Tenancy Deposit Scheme**

[www.tds.gb.com](http://www.tds.gb.com)

0845 226 7837

### **My Deposit**

[www.mydeposit.com](http://www.mydeposit.com)

0844 980 0290

### **The Deposit Protection Service**

[www.depositprotection.com](http://www.depositprotection.com)

0844 4727 000

The Government wants to make sure your tenancy deposit is protected so that:

- You get all or part of your deposit back, when you are entitled to it
- Any disputes between you and your landlord or agent will be easier to resolve

At the beginning of a new tenancy agreement, pay your deposit to your landlord or agent as usual. Within 14 days, the landlord or agent is required to give you details about how your deposit is protected including:

- The contact details of the tenancy deposit scheme
- The contact details of the landlord or agent
- How to apply for the release of the deposit
- Information explaining the purpose of the deposit
- What to do if there is a dispute about the deposit.

If you don't get this information, ask your landlord or agent the simple question – **'how is my deposit protected?'**

You have a responsibility to return the property in the same condition that it was let to you, allowing for fair wear and tear. So it is a good idea to make sure that when you sign your tenancy agreement you get a inventory and keep a detailed list of contents (furniture and fittings) and record the condition of the property and its contents (photographs are a good idea).

Check the circumstances in which your landlord or agent could have a claim on your deposit.

If your landlord or agent hasn't protected your deposit you can apply to your local county court. The court can order the landlord or agent to either repay the deposit to you or protect it in a scheme. If your landlord or agent has not protected your deposit, they will be ordered to repay three times the amount of the deposit to you. In addition a section 21 notice will only be valid if it is issued at the time when the deposit is protected in an authorised scheme.

At the end of the tenancy, check whether you are leaving the property and its contents in the condition in which it was let to you – allowing for fair wear and tear – and check that you have paid your rent and any other expenses. Then agree with your landlord or agent how much of the deposit should be returned to you. Within 10 days – you should have received the agreed amount of the deposit.

When you move out, if you and your landlord or agent can't agree how much of your deposit should be returned, there will be a free service offered by the scheme protecting your deposit to help resolve your dispute. Check the information your landlord or agent gave you at the beginning of your tenancy for details. Your landlord cannot give notice that he is repossessing the property at the end of the tenancy until he has protected the deposit and told you how it is protected.

## Inventories

An inventory check can prevent you from being charged for damages and breakages that were done before you moved in. If you are not given an inventory ask your landlord/agent to supply one. Check the inventory thoroughly and note any damages then ask the landlord/agent to initial them as verification. Remember to keep a copy and photographs are a good idea.