



Deposit Protection in Jersey

## Scheme Information Leaflet

Important information for Landlords, Letting Agents and Tenants.

A Government authorised Tenancy Deposit Scheme

supporting you

## Welcome to my|deposits

“By using mydeposits, landlords and agents can be assured that they are complying with the law and be safe in the knowledge the deposit money is protected. We will be bringing our reputation of outstanding customer service to landlords, agents and tenants in Jersey.”



Eddie Hooker CEO my|deposits

We have been protecting deposits on behalf of our landlord and letting agent members since 2007 in England & Wales. Since then we have successfully introduced tenancy deposit protection and our award winning, trusted, dispute resolution to Scotland in 2012 and then Northern Ireland in 2013.

2.6 million  
deposits

27,000  
disputes  
resolved

130,000+  
landlords

3,500+  
agents

# What is deposit protection?

*Where we use 'Landlord' in this leaflet it can mean 'Letting Agent' if the Agent receives the deposit.*

The States of Jersey have introduced the Residential Tenancy (Deposit Scheme) (Jersey) Regulations 2014 to bring tenancy deposit protection into force as part of the Residential Tenancy (Jersey) Law 2011.

It's normal practice for a Landlord to take a deposit from their Tenant as security, should the terms of the tenancy agreement be broken. The new law will require Landlords to protect deposits with **my|deposits** for the duration of the tenancy.

## The aims of deposit protection:



Reduce unfairly held deposits



Deposits kept securely

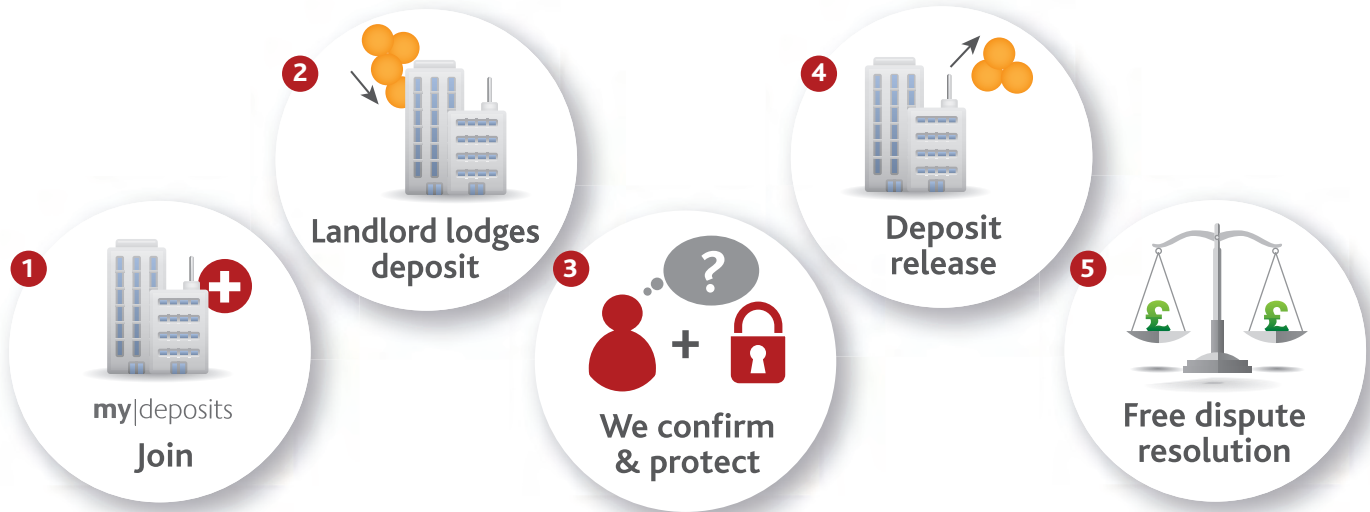


Fast, fair deposit return



Help improve sector

## How my|deposits works, in a nutshell



- 1 Landlord joins **my|deposits Jersey**.
- 2 Landlord lodges the deposit with us.
- 3 We confirm the protection and safeguard the deposit.
- 4 We release the deposit at tenancy end when both parties authorise its release.
- 5 We offer free, evidence based dispute resolution to resolve any deposit disputes.

## How my|deposits operates:

### STEP 1

Landlord joins my|deposits Jersey (one off process)



### STEP 2

Landlord lodges the deposit within 30 Days of receiving it from Tenant



### STEP 3

my|deposits sends the Tenant confirmation of the Deposit Protection



### STEP 4

my|deposits holds the deposit in a designated bank account for the duration of the tenancy



### STEP 5

Landlord specifies how much deposit should be returned at the end of tenancy



### STEP 6

The Tenant confirms the deposit amount to be returned



### STEP 7

The deposit money is returned as requested within 5 Days



## Deposit Release Process

**my|deposits** is designed to allow quick and easy release of the deposit money at the end of the tenancy. The deposit's release can be requested online or over the telephone.

### STEP 1

Landlord submits release request to **my|deposits**



### STEP 2

Tenant responds to request



### STEP 3

If in agreement, the money is released within 5 Days



### STEP 3

If the parties do not agree on the release then a dispute can be raised.  
(See page 7 for the Dispute Resolution Service)



## Dispute Resolution Service

If the Landlord believes the Tenant has broken the agreed contract terms (such as unpaid rent or damage to the property) and the Tenant disagrees, then a free alternative dispute resolution service (ADR) is available to resolve the issue. If both parties agree to use this service then the case will be referred to an independent adjudicator. Any undisputed deposit amount will be returned to the parties, without waiting for adjudication. This process enables the dispute to be resolved without the need to go to court.

### STEP 1

If the deposit amount cannot be agreed, the Tenant informs the scheme of the Deposit Dispute



### STEP 2

Member & Tenant requested to explain their positions and submit evidence related to the deductions



### STEP 3

Both parties have the opportunity to make further comments and provide evidence



### STEP 4

Adjudicator reviews evidence supplied by all parties within 20 Days of receiving the case



### STEP 5

my|deposits sends the decision to the parties within 2 Days



### STEP 6

The Landlord and Tenant have 10 Days to challenge the decision, but only if the adjudicator has erred in fact or law



## Tenant fees

**my|deposits** takes a £20 plus GST (£21) administration fee from every deposit lodged. This is in accordance with paragraph 32 of the Residential Tenancy (Deposit Scheme)(Jersey) Regulations 2014.

It is the Landlord's responsibility to inform the Tenant that this fee will be deducted from the deposit amount lodged with us.

**my|deposits** will not deal with any complaint or disputes relating to the deduction of the administration fee.



## Penalties for non compliance

Landlords who fail to lodge and protect the deposit with **my|deposits** within the **30 Day** deadline are guilty of an offence and liable for a fine of level 3 on the standard scale (£10,000).

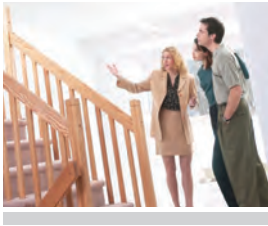




## Preparing for Deposit Protection

The Regulations mean that if a Landlord wishes to withhold all or part of the deposit and the deductions are disputed then **evidence** must be provided to prove the claim.

**Preparing for the end of the tenancy starts before the Tenant moves in, not when the Tenant moves out.**



### At the beginning of the tenancy

#### ✓ Have a high quality written Tenancy Agreement

This is the legal contract with your Tenant so ensure it's clear, concise and fair. Badly worded tenancy agreements are a leading cause of Landlords and Agents losing disputes.



#### ✓ Take a written inventory and check-in report

This provides a full record of the fixtures, fittings and décor, and records the standard of the property before the Tenant moves in. Make sure it's signed and dated by both parties.

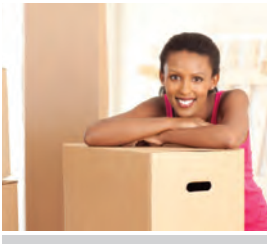
- Be descriptive and use consistent terms.
- The written description is key. Use photos and/or video to support the inventory.
- Detail age of items.

**Please Note:** This is in accordance with the Residential Tenancy (Condition Reports) (Jersey) Order 2014.



## During the tenancy

- ✓ **Keep receipts, invoices for charges incurred during tenancy**
  - Proof of purchase.
  - Document payments such as cleaning charges, damages, repairs.
  - Keep bank statements as evidence of costs.
- ✓ **Rent payment log book**
  - Accurate record of paid and unpaid rent.
- ✓ **Correspondence and witness statements**
  - Keep copies of letters and emails between both parties.



## At the end of the tenancy

- ✓ **Complete a check-out report**
  - The check-out compares the overall state of the property at the end of the tenancy with the inventory and check-in report from the start of the tenancy.
  - Use the same terms and descriptions.
  - Use date stamped photos or videos.
  - Send to the tenant to show the position of the property at end of tenancy.



## Complaints

**my|deposits** aim to provide a first class service to all Landlords and Tenants. If you feel we have fallen short of these standards then you can make a complaint using the following contact details:

**my|deposits Jersey**

Premiere House

1st Floor

Elstree Way

Borehamwood

Hertfordshire

WD6 1JH

United Kingdom

Email: [complaints@mydepositsjersey.je](mailto:complaints@mydepositsjersey.je)

We will respond to complaints with **14 Days**.

# my|deposits Jersey

my|deposits Jersey

Premiere House

1st Floor

Elstree Way

Borehamwood

Hertfordshire

WD6 1JH

United Kingdom

Tel: 01534 747310

Authorised by:



supporting you

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