
STATUTORY INSTRUMENTS

2007 No. 796

The Housing (Tenancy Deposit Schemes) Order 2007

General

9. After paragraph 10 insert—
“Service of documents: general

10A. A tenancy deposit scheme may make provision as to the methods which may be used for giving or sending any direction, notice or other document which falls to be given or sent under the scheme.

Service of documents by scheme administrator on landlords

(1) The provision made by a tenancy deposit scheme under paragraph 10A may include provision for any direction, notice or other document mentioned in this Schedule which is to be given or sent to a landlord by the scheme administrator to be treated as having been received on the second day after the day on which it is sent by first class post to the landlord at the address last provided by him to the scheme administrator as the postal address to which correspondence may be sent.

(2) Sub-paragraph (1) does not apply to the notice mentioned in paragraph 6A(2).

(3) Provision made under sub-paragraph (1) may require the scheme administrator—

- (a) to send a document to an address other than that mentioned in that sub-paragraph; or
- (b) to use or attempt to use any other available means of communication,

before sending a document which is to be treated as having been received as mentioned in that sub-paragraph.

Service of documents by scheme administrator on tenants

(1) The provision made by a tenancy deposit scheme under paragraph 10A may include provision for any notice or other document mentioned in this Schedule which is to be given or sent to a tenant by the scheme administrator to be treated as having been received on the second day after the day on which it is sent by first class post to the tenant at the proper address.

(2) In the case of a notice mentioned in paragraph 4C(2), the proper address is—

- (a) the address (if any) last provided to the scheme administrator as the address to which correspondence may be sent; or
- (b) if no such address has been provided, the address given in the landlord’s statutory declaration as the tenant’s last known address or, if the scheme administrator has a more recent address for the tenant, that address.

(3) In the case of a notice of the kind mentioned in paragraph 5A(4) or (6), the proper address is the address of the premises subject to the tenancy in question.

(4) Provision made under sub-paragraph (1) may require the scheme administrator—

- (a) to send a document to an address other than the proper address, or
- (b) to use or attempt to use any other available means of communication,

before sending a document which is to be treated as having been received as mentioned in that sub-paragraph”