

Status: Point in time view as at 01/12/2022.

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Authorised deposit schemes: proceedings where the occupation contract has ended is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 5

DEPOSIT SCHEMES: FURTHER PROVISION

Modifications etc. (not altering text)

- C1** Sch. 5 modified (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Saving and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1172\)](#), regs. 1(2), **8** (with reg. 19)

Authorised deposit schemes: proceedings where the occupation contract has ended

- 3 (1) Where a deposit has been paid in connection with an occupation contract that has ended, the person who was the contract-holder under the contract (or any person who paid the deposit on his or her behalf) may make an application to the county court on any of the following grounds.
- (2) The first ground is that the landlord did not comply with section 45(2)(a) (initial requirements of an authorised deposit scheme).
- (3) The second ground is that the landlord did not comply with section 45(2)(b) (provision of required information).
- (4) The third ground is that the applicant—
- (a) was notified by the landlord that a particular authorised deposit scheme applied to the deposit, but
 - (b) has been unable to obtain confirmation from the scheme administrator that the deposit is being held in accordance with the scheme.
- (5) If the county court—
- (a) in the case of an application on the first or second ground, is satisfied that the ground is made out, or
 - (b) in the case of an application on the third ground, is not satisfied that the deposit is being held in accordance with an authorised deposit scheme,
- it may order the person who appears to be holding the deposit to repay all or part of the deposit to the applicant before the end of the relevant period.
- (6) If sub-paragraph (5)(a) or (b) applies, the county court (whether or not it makes an order under that sub-paragraph) must order the landlord to pay to the applicant, before the end of the relevant period, a sum of money not less than the amount of the deposit and not more than three times the amount of the deposit.
- (7) The relevant period is the period of 14 days beginning with the date of the order.

Commencement Information

- I1** Sch. 5 para. 3 in force at 1.12.2022 by [S.I. 2022/906](#), art. 2

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