



# Housing Act 2004

## 2004 CHAPTER 34

### PART 6

#### OTHER PROVISIONS ABOUT HOUSING

### CHAPTER 4

#### TENANCY DEPOSIT SCHEMES

#### **214 Proceedings relating to tenancy deposits**

- (1) Where a tenancy deposit has been paid in connection with a shorthold tenancy, the tenant or any relevant person (as defined by section 213(10)) may make an application to a county court on the grounds—
  - (a) that the initial requirements of an authorised scheme (see section 213(4)) have not, or section 213(6)(a) has not, been complied with in relation to the deposit; or
  - (b) that he has been notified by the landlord that a particular authorised scheme applies to the deposit but has been unable to obtain confirmation from the scheme administrator that the deposit is being held in accordance with the scheme.
- (2) Subsections (3) and (4) apply if on such an application the court—
  - (a) is satisfied that those requirements have not, or section 213(6)(a) has not, been complied with in relation to the deposit, or
  - (b) is not satisfied that the deposit is being held in accordance with an authorised scheme,as the case may be.
- (3) The court must, as it thinks fit, either—
  - (a) order the person who appears to the court to be holding the deposit to repay it to the applicant, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) order that person to pay the deposit into the designated account held by the scheme administrator under an authorised custodial scheme,  
within the period of 14 days beginning with the date of the making of the order.
- (4) The court must also order the landlord to pay to the applicant a sum of money equal to three times the amount of the deposit within the period of 14 days beginning with the date of the making of the order.
- (5) Where any deposit given in connection with a shorthold tenancy could not be lawfully required as a result of section 213(7), the property in question is recoverable from the person holding it by the person by whom it was given as a deposit.
- (6) In subsection (5) “deposit” has the meaning given by section 213(8).