



INFORMATION ABOUT YOUR DEPOSIT FROM OCTOBER 2010

VERSION: LSHG11DSP4S01

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YOUR LANDLORD

We are a responsible and reputable private landlord managing our own properties through **Place Group UK** for corporate and embassy clients.

Through **London Student Housing Group and The London Student Group** we are a full service student housing provider. We genuinely do not believe that any other private landlord is as well regulated as we are, whilst remaining so directly approachable and accessible at management level.

Our principal is a member of the **Chartered Institute of Housing**, the **Chartered Institute of Environmental Health**, the **Law Society**, the **National Landlords Association** and accredited under the **London Landlord Accreditation Scheme**. We are already registered with the **Independent Government Housing Ombudsman** and **Ombudsman Services Property**. We are registered under the **Data Protection Act** and with the FCA under the **Consumer Credit Act**. For your complete and peace of mind protection we are also registered with HMRC under the **Money Laundering Regulations 2007**.

The London Student Group and Place Group UK won the category "[Best Landlord Of The Year For Student Housing](#)" and were shortlisted in the top 5 in the category "[Overall Best Landlord Of The Year](#)" at the UK Landlord Accreditation Partnership (UKLAP) Future of Housing in the Private Rented Sector Awards 2012, 2013 and 2014.

HOUSING ACT 1988 / HOUSING ACT 1996

Until the changes referred to below took effect on 01 October 2010, tenancies with an annual rental greater than £25k could not be an Assured Shorthold Tenancy (AST). These tenancies were on a contractual basis and sometimes referred to as 'non-Housing Act' tenancies.

On 01 October 2010 **new legislation** ([The Assured Tenancies \(Amendment\)\(England\) Order 2010](#)) took effect which raised the threshold for an AST from annual rental of £25k to annual rental of £100k. The legislation **applied**

retrospectively and all **existing tenancies with annual rents between £25k and £100k** became ASTs on 01 October 2010.

Therefore a tenancy that started before 1 October 2010 which was for a rental in excess of £25k per annum but for less than £100k per annum, on 1 October 2010 automatically converted to an AST.

HOUSING ACT 2004

The Housing Act 2004 requires tenancy deposits paid under an AST to be dealt with in accordance with an authorised scheme. Therefore since 01 October 2010, any Landlords have had to ensure that such tenancy deposits are protected.

There was considerable uncertainty arising from the information issued by the government about tenancies which had already started before 01 October 2010, but we reached the view that we would register tenancy deposits for tenancies [started after the 01 April 2007] **even if** the tenancy had already started **before** the legislation change on 01 October 2010.

Please note that a **commitment deposit** is a form of holding deposit. Holding deposits are **not covered** by any deposit protection legislation. Deposit protection legislation only applies to **tenancy deposits** (deposits to secure against dilapidations, non payment of rent and other obligations under a tenancy agreement) paid by tenants in respect of tenancy agreements which are Assured Shorthold Tenancy Agreements (AST). Most tenancy agreements are now AST following the change in legislation on 01 October 2010.

Please note that **advance rent** is **not covered** by any deposit protection legislation. Deposit protection legislation only applies to **tenancy deposits** (deposits to secure against dilapidations, non payment of rent and other obligations under a tenancy agreement) paid by tenants in respect of tenancy agreements which are Assured Shorthold Tenancy Agreements (AST). Most tenancy agreements are now AST following the change in legislation on 01 October 2010.

LOCALISM ACT 2012

On 06 April 2012 new legislation (**The Localism Act 2012**) took effect which amongst other changes, extended the time within which tenancy deposits paid under an AST have to be protected from 14 days to 30 days of receipt.

The changes apply to new tenancy deposits which landlords take on or after 06 April 2012.

The changes also apply to existing tenancy deposits which landlords are already holding on 06 April 2012, and landlords will be allowed a 30 day period to comply for these existing tenancy deposits if they have not done so already.

WHAT NOW HAPPENS WHEN WE RECEIVE A TENANCY DEPOSIT PAID UNDER AN AST ?

We are registered with Tenancy Deposit Solutions Limited (known as **my|deposits**). **my|deposits** is a Non-Custodial Insurance-Based Tenancy Deposit Protection Scheme operated by Tenancy Deposit Solutions Limited (TDSL) and appointed by The Department for Communities and Local Government (CLG).

We will use my|deposits for all ASTs.

The exact details for The Scheme administrators are:

my|deposits is administered by:
HFIS plc, T/A Hamilton Fraser Insurance
my|deposits
Ground Floor
Kingmaker House
Station Road
New Barnet
Hertfordshire
EN5 1NZ.
Tel 0844 9800 290
Fax 0845 634 3403
info@mydeposits.co.uk

WHAT STEPS ARE NEEDED ?

From 06 April 2012, as Landlord if we already have any AST tenancy deposit on that date (and if we continue to hold that AST tenancy deposit) or if we take a new AST tenancy deposit after that date, we will:

1. Protect the tenancy deposit stated in the AST within **30 days** of receipt [Note: If there are Joint Tenants contributing separate sums toward a total tenancy deposit, this will be within **30 days** of receipt of the full amount of the total tenancy deposit stated in the AST)
2. Provide **my|deposits** with the following information:
 - The full amount of the tenancy deposit
 - The Tenant's (s') full name(s)
 - The address of the property to which the tenancy deposit relates
 - The period of protection being the tenancy start and end dates and the earliest contractual end date
 - The date the tenancy deposit was received from the Tenant
 - Alternative address(es) for the Tenant(s) [and keep these up to date, for example at the end of a tenancy]
 - Full details of the name and address of any interested party, including satisfactory evidence of any payment
 - In the case of a joint tenancy which Tenant is to be the named as the Lead Tenant

3. Provide our Tenants with such information as required by the most recent legislation. This is called the “Prescribed Information” and is set out in The Housing (Tenancy Deposits) (Prescribed Information) Order 2007. We will tell the Tenant how to obtain a copy of the latest rules and documents applicable to The Scheme and we will provide all the Prescribed Information to the Tenant through this note and the following three documents:
 - The signed Deposit Protection Certificate (DPC) and
 - An Information for Tenants Leaflet (IFTL) and
 - The AST which provides information about the circumstances when all or part of the deposit may be retained

From 06 April 2012, if you are a SoleTenant under an AST we will require you to:

- Countersign the signed DPC to confirm the details are correct and that you have received a copy of the IFTL

From 06 April 2012, if you are Joint Tenants under a joint AST we will require:

- All Joint Tenants to confirm to us which Tenant is to be named as the Lead Tenant and that the Lead Tenant is authorised by all the Joint Tenants to accept service of all documents on behalf of all of the Joint Tenants
- The named Lead Tenant to sign the DPC to confirm the details are correct and that they have received a copy of the IFTL
- All Joint Tenants to complete a “Joint Tenancy Information Form” (JTIF) so that we have direct evidence of the consent of all the Joint Tenants to the nomination of the Lead Tenant and direct evidence of the alternative addresses provided for each of the Joint Tenants.

From 06 April 2012, at the end of your AST, we will require you as Tenant (or in the case of a joint tenancy the Lead Tenant) to:

- Either sign the “Deposit Un-protection Form” to confirm agreement that the tenancy deposit can be unprotected if there is no dispute about the tenancy deposit
- Or raise a Deposit Dispute which you must do within 3 months of the actual end date of the tenancy

DATA PROTECTION

The following Data Protection Notice is supplied by my|deposits regarding the Landlord and Tenant business relationship with my|deposits and CLG and use of the my|deposits scheme (“The Scheme”) and how my|deposits and CLG process data. [Please note: This information is in addition to the separate provisions affecting how data is processed by Place Group]:

Scope

The Scheme is operated for CLG by the Tenancy Deposit Solutions Limited T/A **my|deposits**.

This notice applies to **my|deposits** and CLG regarding personal information about Landlords and Tenants in connection with tenancy deposit schemes under the Housing Act 2004.

Personal Information

CLG through **my|deposits** collects the information Landlords are asked to provide during registration or which are supplied during the period that any deposit is protected.

CLG and **my|deposits** websites and e-mails use common internet tools such as cookies and beacons.

CLG through **my|deposits** sometimes collects information about the parties from other sources, such as tenants, land registry data, postal services data, credit checking organisations or other sources necessary to confirm identity or the instructions provided.

For more information on The Scheme's information, and collection practices (including how to delete or refuse cookies), please contact **my|deposits**.

Uses and Sharing

Your personal information will only be handled for the purposes of the The Scheme. This includes providing Alternative Dispute Resolution and insuring The Scheme, although CLG may be required to disclose details of scheme activities to regulators, industry bodies and other organisations for the purpose of fraud prevention and money-laundering, or if there are concerns of a criminal nature regarding any activities.

The **my|deposits** insurers may be provided with information for claims related purposes. **my|deposits** process data to run The Scheme and on behalf of CLG.

In the event of a Dispute, information may also be processed on behalf of CLG by any Alternative Dispute Resolution service provider. These organisations are required to protect data for **my|deposits** and CLG and cannot apply your personal information for purposes unconnected with The Scheme.

Your personal information may be transferred outside the UK or European Union for the purpose of providing you with access to the information if you access the information from a website outside the European Union. **my|deposits** must process data on behalf of CLG in accordance with the Data Protection Act 1998.

Your rights

Under the Data Protection Act 1998 you have the right to access any data that **my|deposits** and CLG hold about you. You can ask **my|deposits** and CLG to correct any errors in the information. For more information on your rights please go to <http://www.communities.gov.uk/corporate/foi/> or contact **my|deposits**.

Contact details

Please contact **my|deposits** in the first instance as **my|deposits** process data on behalf of the CLG. **my|deposits** can be contacted at “mydeposits, Ground Floor, Kingmaker House, Station Road, New Barnet, Herts EN5 1NZ”, by telephone on 0844 980 0290 (note that calls may be recorded) or by email on customerservices@mydeposits.co.uk.

If you wish to contact CLG you can contact them by email at tenancy.deposits@communities.gsi.gov.uk or by post at Tenancy Deposit Protection Team, 2/J10, Eland House, Bressenden Place, London SW1E 5DU.

DOCUMENTS

Note: These may be links may be to external sources over which we have no control. If the links do not work, please therefore email us immediately on students@londonstudentlandlords.co.uk or call our main switchboard to report any difficulties on 020 3137 6677.

[The Assured Tenancies \(Amendment\)\(England\) Order 2010](#)

[The Scheme Rules](#)

[The Prescribed Information](#)

[Information For Tenants Leaflet \(IFTL\)](#)
