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# **TENANCY DEPOSIT CLAIMS**

Landlords have an obligation to pay deposits, received from tenants, into a deposit protection scheme.

The law states that every landlord who takes a deposit from a tenant has to protect that deposit by lodging it with one of 3 tenancy deposit protection schemes. Your landlord must also serve upon you Prescribed Information confirming the details of this protection.

The basis for this requirement is to stop landlords utilising a tenant's deposit as income elsewhere and to make it easier to obtain a refund of the deposit when the tenancy comes to an end.

## **THE CLAIM**

If a landlord fails to lodge the deposit with one of the 3 deposit protection schemes, within 30 days from receiving the deposit, the landlord will be subject to a penalty of between 1-3 times the amount of the deposit paid.

Landlords continue to ignore the law in this regard and to assist tenants (we do not act for Landlords) McKay's Solicitors Ltd has a team of experienced lawyers operating on cases around the UK enforcing tenants' rights against landlords and obtaining compensation on behalf of tenants from landlords who have failed to comply with their obligations.

Please note, tenants are still entitled to claim a penalty even if they have received a refund of their deposit.

You may be entitled to claim a penalty if you can answer yes to the following two questions;

Are you renting or have you rented property in the last 6 years?

Did you or someone on your behalf pay a deposit to the landlord for your tenancy?

If you have answered yes then complete the simple claims questionnaire below

and email it back to us at [tenancyclaims@mckaysolicitors.com](mailto:tenancyclaims@mckaysolicitors.com) We will advise you by return if you have a valid claim or not.

## **FEES**

Our review of the claim questionnaire is free. If we believe you have a valid claim then we will act on your behalf in return for 35% of the compensation that we recover on your behalf. As the compensation will be paid by the Landlord you will not have to make any payment to us at the outset as we will deduct our fee upon successful completion of the claim.

For example if your tenancy deposit was £1,000 then we would seek a return of your deposit plus between 1-3 times the deposit sum as compensation.

If we recover 1 x deposit i.e. £1,000 then our fee is limited to £350 and we return £650 to you

If we recover two times deposit of £2,000 the our fee is limited to £700 and we return £1,300 to you

If we recover 3 times deposit i.e. £3,000 then our fee would be £1,050 and we would return £1,950 to you

# MCKAYS SOLICITORS LTD DEPOSIT CLAIM QUESTIONNAIRE

Please try and complete this form fully as the more information we have the quicker we can decide if you have a valid claim and start working towards obtaining your proper compensation.

Name:

Full address including postcode

Telephone numbers Land Line

Mob

Email address (es)

What is the address at which the deposit was paid

Who paid the deposit? You or someone on your behalf? If it is the latter please confirm the name address and contact details

How much was the deposit paid

How was the Deposit Paid?

On what date did you pay it

Please provide the name, address and contact details for the Landlord to whom the deposit was paid

If the Landlord appointed an agent please confirm the name address and contact details for the agent appointed

If the tenancy is on-going i.e. you still live at the property please confirm YES or NO

If the tenancy has ended please confirm the date on which it ended and when you moved out

If the tenancy has ended and you have moved out of the property has the Landlord returned your deposit in full or in part?

Please provide copies of the following documents if you have them. Any claim is much simpler to assess if the following documents are provided:

1. A copy of the tenancy agreement relating to your claim
2. Copies of any prior tenancy agreements you have in your possession relating to this claim
3. Copies of any other tenancy agreements you have in your possession for tenancies that you have entered into within last 6 years
4. Copy of a bank statement or other evidence such as a cheque stub or receipt showing the payment of the deposit
5. Any documents that you have received from the Landlord directly or the Landlords agent if one was appointed which relates to the entry into of the tenancy.

When you have completed this questionnaire and compiled the documents requested please either scan the questionnaire and documents and email them back to [tenancyclaims@mckayssolicitors.com](mailto:tenancyclaims@mckayssolicitors.com) or alternatively you can fax them for the attention of the tenancy claims team on 0151 702 4868.