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| --- |
| [Enter landlord/Agent name/address] |

Date: [enter date]

Dear [enter landlord agent name],

Re: Return of holding deposit under the Tenant Fees Act 2019

I am writing to request the return of the [£X] paid as a holding deposit in relation to [insert property address], which I believe has been unlawfully retained under the provisions of the Tenant Fees Act.

The Tenant Fees Act 2019 sets out the circumstances under which a landlord or agent is entitled to retain a holding deposit in relation to privately rented property in England. Where landlord or agent wishes to retain a holding deposit, they must set out in writing the reason for retaining the holding deposit to the person who paid the deposit. A landlord or agent must provide this information within 7 days of deciding not to let the property to the tenant or 7 days of the ‘deadline for agreement’ passing (usually the 15th day after a holding deposit has been received by the landlord or agent unless otherwise agreed in writing with the tenant).

A holding deposit can only be retained if:

• I provide false or misleading information which it is reasonable for you to take it into account (or my conduct in providing it), when deciding whether to grant the tenancy

• I fail a Right to Rent check

• I withdraw from a property

• I fail to take all reasonable steps to enter into a tenancy agreement when you have done so

You are required to return the holding deposit or set out in writing your reason for retaining the deposit to me within 7 days of the date the landlord decided not to enter the agreement if this is before the ‘deadline for agreement’ or the ‘deadline for agreement’ (usually 15 days after a holding deposit has been paid unless otherwise agreed in writing with the tenant). If a landlord or agent enters into a tenancy agreement, the holding deposit must always be returned to the tenant within 7 days of the date that agreement was signed.

If you consider that you have legitimate grounds to retain my holding deposit, please provide the reason in writing and any appropriate evidence to support your claim in accordance with the above. If you do not return my holding deposit or fail to provide a satisfactory reason for retaining the deposit within the required period, I will pursue this matter via the relevant enforcement authority or First-tier Tribunal.

More information about the Tenant Fees Act is available at: https://www.gov.uk/government/collections/tenant-fees-act

I look forward to hearing from you soon.

Yours sincerely,

[enter tenant(s) name(s)]