

# Landlord's statutory declaration

in support of deposit repayment where the tenant is absent or will not co-operate (required for the custodial scheme only)



Received	Approve/decline
/ /	/ /
Office use only	

## When to use this application

If you have requested repayment of the deposit through TDS Custodial and the tenant has not responded, you must use this application before we can release the deposit to you. This is a legislative requirement. TDS Custodial does not have any discretion to release the deposit without receiving this application.

## How to complete this form

- Complete all highlighted/blank fields and attach necessary exhibits
- The application must be signed by a Commissioner for oaths / Solicitor / Justice of the Peace (e.g. Magistrate) or Notary
- Email the application and exhibits to [info@tenancydepositscheme.com](mailto:info@tenancydepositscheme.com), or post to West Wing, First Floor, Maylands Building, 200 Maylands Avenue, Hemel Hempstead, HP2 7TG

## What will happen next?

- We will send a copy of your completed application and exhibits to the tenant and ask them to respond within 14 days. If we do not receive a response from the tenant within 14 days we will pay you the amount of the deposit you have claimed.
- If we receive a response from the tenant and they **agree** with your claim, we will pay you the amount of the deposit you have claimed. If we receive a response from the tenant and they **do not agree** with your claim, they can ask us to resolve the dispute through our dispute resolution process.

Deposit Account Number: EW

I, \_\_\_\_\_ of \_\_\_\_\_,

DO SOLEMNLY AND SINCERELY DECLARE as follows:

## Section 1: Your Details (Please tick as appropriate)

I was the landlord of the tenancy property address listed below. I am authorised to make this declaration on behalf of the landlords of the property.

OR

\_\_\_\_\_ was the landlord of the tenancy property address listed below. I am acting as their agent and am authorised to make this declaration on their behalf.

Tenancy property address \_\_\_\_\_

Postcode \_\_\_\_\_

Name of tenant(s) \_\_\_\_\_

A deposit of £  .  was paid to cover the tenants' obligations and liabilities in the tenancy agreement.

## Section 2: The tenancy and the deposit

The tenancy (including any renewals or statutory periodic tenancies) ended on the following date and more than 14 calendar days have passed since that date.

/  /

I believe I am entitled to claim:

£  .

Amount of deposit to be repaid to tenants:

£  .

Select the type of claim to the right and complete the related fields. Where relevant, the amounts claimed should take account of fair wear and tear.

### Rent arrears

Value of claim:

£  .

### Cleaning

Value of claim:

£  .

### Gardening

Value of claim:

£  .

### Damage

Value of claim:

£  .

### Redecoration

Value of claim:

£  .

### Other

Value of claim:

£  .

Basis of Calculation and breakdown of cost: \_\_\_\_\_

## Section 3: In the event of no agreement

No agreement has been reached with the tenant with respect to the amount claimed. I confirm that **(Please tick as appropriate)**:

I have no current address for, or other means of contacting, the tenant, and the last address and contact details I have for the tenant are:

Address (other than tenancy property)

Postcode

Email address

Telephone number

OR

The tenant has received a written notice (copy of written notice and proof of receipt (if possible) attached as Exhibit 1) asking whether they accept that I/the landlord should be paid the whole or a specified part of the deposit and:

- (i) the amount now claimed does not exceed the amount specified in that notice; and
- (ii) the tenant has failed to inform me within 14 calendar days of receiving the notice, whether he accepts or disputes the payment proposal.

## Section 4: Declaration

I confirm that since the tenancy ended:

There have /have not  been other communications between me and the tenant. (If so, please attach a copy of them in Exhibit 2).

In the event of the tenant disputing that I should be paid the amount claimed, I give my consent to the dispute about the deposit being resolved through the use of the dispute resolution service.

The following exhibits are attached to this declaration: **(Please tick if attached)**

### Exhibit 1

- Copy of written notice to the tenant asking for confirmation whether or not I/the landlord should be paid some or all of the deposit.
- Proof of receipt, or other relevant facts relied on, to show that the tenant has received a written notice, asking him for confirmation whether or not I/the landlord should be paid some or all of the deposit.

**(Only include this if you have advised that the tenant has received a written notice in section 3)**

### Exhibit 2

Details of any other communication between tenant and landlord since the tenancy ended.

**(Only include this if you have advised that there have been other communications between you and the tenant since the end of the tenancy in this section)**

**AND I MAKE THIS SOLEMN DECLARATION** conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835, knowing that if I knowingly and wilfully make a false declaration I may be liable to prosecution under the Perjury Act 1911.

Declared at address

\_\_\_\_\_  
\_\_\_\_\_

Applicant's signature

Dated   /   /

Before me


\_\_\_\_\_  
(Name of Commissioner for oaths/Solicitor/Justice of the Peace (e.g. Magistrate)/Notary)

Signed

\_\_\_\_\_  
(Commissioner for oaths/Solicitor/Justice of the Peace (e.g. Magistrate)/Notary)

**Solicitor's stamp here:**

## Contact us

 TDS, West Wing, First Floor,  
Maylands Building, 200 Maylands  
Avenue, Hemel Hempstead, HP2 7TG

 0300 037 1001

 [www.custodial.tenancydepositscheme.com](http://www.custodial.tenancydepositscheme.com)