

**SAFE
DEPOSITS**
SCOTLAND

What is a deposit scheme and who are SafeDeposits Scotland?

- History of tenancy deposit schemes
- There are 3 schemes in Scotland that you can use: SafeDeposits Scotland, Mydeposits and LPS
- SafeDeposits are the biggest scheme in Scotland, with 69% of all deposits protected with us
- SafeDeposits are the only scheme that are a not-for-profit
- SafeDeposits are the only scheme that are based in Scotland



What is a deposit?

- A deposit is a sum of money paid to a landlord and held by a third-party scheme
- It is held in respect of a tenant's obligations as set out in the tenancy agreement
- It must be protected within 30 working days of the tenancy starting
- Should a landlord suffer a financial loss due to the tenant breaching their obligations, then the landlord can seek to claim recompense from their deposit
- It is NOT an insurance policy and remains the tenant's money at all times



Regulation 42 (Prescribed Information) required information

- The amount of the deposit paid and the date it was received by the landlord
- The date it was paid to the scheme
- The address the deposit relates to
- Whether the landlord is or has applied to be registered with the local authority
- The name and address of the scheme the deposit is protected with
- The circumstances in which the deposit can be used



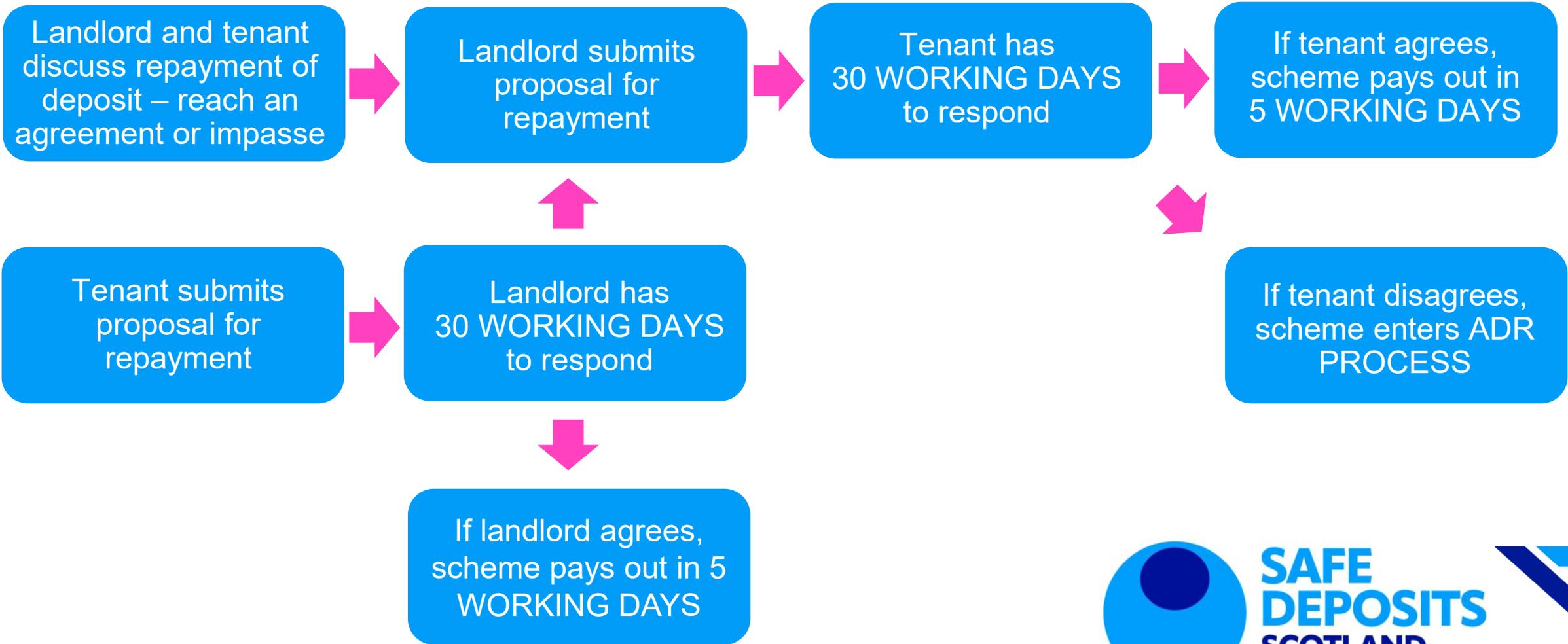
What happens when you register a deposit?

SafeDeposits initially sends each tenant a welcome email containing a link for them to log on, create an account and verify their tenancy

Once the funds are protected, SafeDeposits issues an email to each tenant confirming the deposit is now held. A copy of the DPC and PI is sent to the landlord or letting agent to issue to all tenants



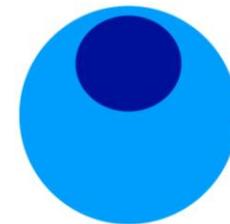
The repayment process



What if the other party doesn't respond?

- The scheme writes to the both parties and asks them whether they agree or dispute the repayment proposal
- If no response is received from the other party after 30 working days, the scheme will pay the amount claimed within 5 working days
- Any amount due to the non-responsive party, will be held by the scheme indefinitely until they supply their bank details

Alternative Dispute Resolution



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What is Adjudication?

- An alternative to the traditional Court route
- Legally binding
- Evidence based
- Decided by an impartial adjudicator

Self-resolution

- There are rounds of 5 working days (as of 1st July 2025)
- Team will review the case after each round
- If you have tried self-resolution and the tenant isn't engaging, or no agreement has been reached, let us know and we can help



Evidence

- 4 key documents: Tenancy agreement, Inventory, Checkout report, Rent statement
- What clause in the tenancy agreement supports your claim
- Photographs – helpful not essential
- Contractor statements
- Correspondence
- Videos – not helpful
- Physical evidence – **not accepted**



How is the inventory used?

- Baseline condition at the start of tenancy
- Safeguards parties in event of a dispute
- Compared by the adjudicator to establish how the condition has changed
- Part of The Letting Agent Code of Practise (Scotland) Regulations 2016

What should an inventory cover?

- Everything in the property (furnished & unfurnished)
- Condition and cleanliness – these are not the same
- Smells, scents and odours
- Details are important
- Avoid general phrases e.g ‘sparkle clean’.
- There is no right or wrong format – However...

CANNOT SIGN SMALL CONTRACT
WORN

Inventory for (address):

Use this template to keep a record of the condition of your new property, room by room. Enter the details of any aspects of the property which you feel are in need of repair, and get the landlord to sign it. Do this within the first week of moving in. If you attach any pages, ensure the landlord signs these as well. Keep a copy of this document safely with your lease agreement.

Hall	Flooring	GOOD CONDITION	Bedroom 1	Flooring	GOOD CONDITION
	Furniture	NONE		Furniture	NONE
	Fittings	GOOD CONDITION		Fittings	GOOD CONDITION
	Walls/ceiling	FRESHLY PAINTED		Walls/ceiling	FRESHLY PAINTED
	Electrical goods/ gas appliances	FROST DOOR FREE LOCK NOT WORKING NONE		Electrical goods/ gas appliances	NONE
Sitting room	Flooring	MARKED FROM TEN/USE	Bedroom 2	Flooring	5/6 INCH DAMAGED UNDER
	Furniture	NONE		Furniture	AS NEW CONDITION
	Fittings	MIRROR (GOOD CONDITION)		Fittings	GOOD CONDITION
	Walls/ceiling	WALLS FRESHLY PAINTED BUT NOT CEILING		Walls/ceiling	FRESHLY PAINTED
	Electrical goods/ gas appliances	FIRE IN (GOOD CONDITION)		Electrical goods/ gas appliances	NONE
Kitchen	Flooring	GOOD CONDITION	Bedroom 3	Flooring	GOOD CONDITION
	Furniture	NONE		Furniture	WALK IN WARDROBE
	Fittings	GOOD CONDITION		Fittings	MIRROR WARDROBES (GOOD)
	Walls/ceiling	FRESHLY PAINTED		Walls/ceiling	FRESHLY PAINTED
	Electrical goods/ gas appliances	GOOD CONDITION WITHTH (GOODS) - GOOD CONDITION		Electrical goods/ gas appliances	NONE
Bathroom	Flooring		Outside	Flooring	PULL UP AS NEW
	Furniture			Furniture	NONE
	Fittings			Fittings	NONE
	Walls/ceiling			Walls/ceiling	CONCRETE WALL/CEILING
	Electrical goods/ gas appliances			Electrical goods/ gas appliances	NONE

THE GOODS
WAS NOT
CONTRACT.
DRAWN
UP AT
T/HAND COME

Signed (landlord): _____ Date: 26/4/18 Signed (tenant): _____ Date: 26/04/18



SHEET 1

RECEPTION ROOM

Walls: magnolia painted

Ceiling: white painted

cornicing white painted

Flooring: beige carpet as fitted

clear signs at
Shady
disc
from rug

Woodwork: door frame and door varnished wooden, door has 2 brass coloured handles

skirting, window frames varnished wooden

Lighting: pendant ceiling light with cream paper shade

ikea metal based table lamp with cream speckled paper shade, flex and plug

18" multi-coloured ceramic based table lamp with white shade, flex and plug

NB all plastic power points and light switches throughout the property intact unless otherwise mentioned

Glazing: plain glass to windows

brass window furniture as fitted

Radiator: unpainted complete with 2 taps

Curtains: orange-rotter blind with adjustable pull cord

Furnishings: salmon and beige patterned 2 seater sofa with 2 base cushions, 2 back cushions, 2 arm cushions and 2 arm protectors

2 cream gingham covered scatter cushions

3 dark wooden low rectangular oriental styled coffee table with metal studs to exterior

4 light wood framed easy chair with cream covered seats

5 2 cream covered scatter cushions

6 6 circular leather style coasters and holder

7 4 blue, green and beige bird patterned fabric place mats

walls add scuffs
1 Pt

add sofa
+ chairs
but go

newly
painted
one
used
poppy picture

~~total~~ ~~damage~~ ~~plaster~~ ~~over~~
pl. stemming / water damage
over wall.
- 2 unused picture screws.

circular disc with exposed wires,
purpose unknown.
found damp disc to ceiling.
with
" marks & below sill.

carpet in overall clean order although
there are approximately 6 small
scattered, residual spot stains.

discoloured in front of
sofa.
of fine place

4x window 2
where table
standing.

~~shaded~~ / dusty N/W
wo bulb

shade in use

glue marked to the interior top.
Hanging self clipped, shade
in use

* Badley donegan shade
not really attached

- NOT clean

windows slightly wobbly to frame, all
panes intact.

slight nicks / and
scratches

slightly in use!
NOT N/W

good clean order.
Flick marks to valance.
2 back cushions have 3 spots
1 side cushion has 1 spot. and
1 has ink stain

light scratching and 1 half ring mark.
generally ring marked
+ v. worn

4" spot stain to base.
5 1/2" gully stain to seat
in use.

in use.

food spots

no bulb

no

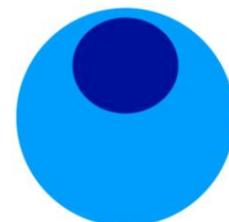
sofa looks
loose needs
attention

add sofa
side of sofa
very cat scratched
all very disc
+ worn

gubby

very gubby

no



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1 Main Street, AB1 2CD – Inventory – 1st January 2025

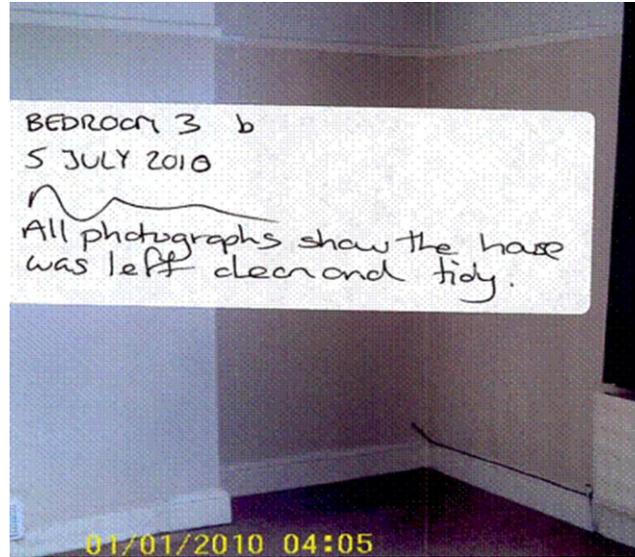
LOUNGE

	DESCRIPTION	CHECKIN CONDITION	TENANT COMMENTS	CHECKOUT CONDITION
Ceiling	White emulsion	Good. Free from all marks		
Coving	White emulsion	Good, small water ingress mark above kitchen door		
Walls	3 x grey emulsion 1 x black and pink floral wallpaper	Paint good and free from all scuffs, scrapes and marks. Wallpaper torn at seam of RHS lower corner		
Woodwork	White gloss	Good. Free from chips and marks		
Flooring	Grey carpet	Good. Small burn in front of window. Otherwise free from pulls and tears		

Photographs and Videos

- If you are going to use photographs, they should be:
- Relevant
- Scaled
- Focused
- Dated and labelled / identifiable if not embedded in the inventory

Photograph Example



Photograph Example



The Check-Out

- Final inspection of the property
- Tenant must be invited to attend
- Condition of the property is compared to check-in
- Tenant should not be left with keys or allowed back into property

Fair Calculations

There is no hard and fast rule, but a general guide would be:

- To charge the tenant an equivalent percentage of the invoice, to the area affected
- To show that a landlord is claiming for the loss of the remaining life expectancy

Common Mistakes

- No “before and after” evidence
- Not making allowances for an item’s age or condition
- Failing to tell tenants about how to take care of items
- Acting in haste
- Sending irrelevant evidence

What if the tenant wants to go to First-tier Tribunal

- Tenants are not obliged to use SDS for deposit disputes and can choose to go to the First-Tier Tribunal instead. However, the landlord must use SDS adjudication where the tenant asks.
- The tenant has 30 working days to tell the scheme if they want to use dispute resolution service.
- The deposit will be released as per the landlord's application, within five working days of either the tenant's response or the expiry of the 30 working days.
- The tenant may apply to the First-tier Tribunal if a deposit is not paid to an approved scheme, or if the required information has not been provided within the correct timescales.
- If the First-tier Tribunal is satisfied that the Regulations have not been complied with, they may order the landlord to pay the tenant up to three times the amount of the deposit.
- In addition, the First-tier Tribunal may order the landlord to submit the deposit to an approved scheme.



More Information

- Register at:
<https://www.safedepositsscotland.com/>
- Guidance at:
<https://www.safedepositsscotland.com/help-centre>
- Call us on 03333 213 136 or email
info@safedepositsscotland.com

