

# How to get your deposit back

**This factsheet looks at how to get your tenancy deposit back from your landlord or letting agent**

A tenancy deposit is your money. It should be returned to you when your tenancy ends.

## Ask your landlord

The first step is to ask for your deposit back. If you paid your deposit to a letting agent, write to them as well. If you email, text or call them, follow up with a letter.

Your landlord has a reasonable time after you move out to return the deposit. For many renters this is not defined in law. Check your tenancy agreement, it may tell you when you should get it back.

Give your landlord/agent your forwarding address and up-to-date bank details.

## Deductions

Your landlord can make reasonable **deductions** from your deposit if you owe rent, or you (a household member or a guest) have caused damage to the property. Other reasons might be set out in your tenancy agreement.

Your landlord should explain the reasons for any deductions they intend to make. If you agree, get everything in writing and ask your landlord/agent to sign your copy.

If you can't agree, you can challenge the deductions your landlord has made from your deposit.

## Court action

Taking court action should be a last resort. You can apply to the county court if you can't reach an agreement or your landlord has not got back to you.

Before you start, you must write a formal letter to your landlord (and the agent if there is one) telling them that unless the deposit is returned to you within 14 days, you will go to court. This is called a letter before action. Send it by recorded delivery.

Your landlord may be willing to settle rather than go to court.

Find out more about making a court claim for money on [gov.uk](https://www.gov.uk).

## Special rules for ASTs

This is for assured shorthold tenancies (ASTs) only. Most tenants with private landlords have ASTs. If you are unsure, you can [check your tenancy type](#).

If you have an AST, your landlord must register your deposit with a government-approved tenancy deposit protection (TDP) scheme. You can [check if your deposit is protected](#)

Your landlord can choose to pay your money into a custodial scheme or hold on to your deposit and pay an insurance scheme to protect it.

### Custodial scheme

You or your landlord can ask the scheme to refund your deposit. If you do this, use the scheme's on-line refund request.

If there's a dispute, the scheme holds the money until it's resolved - by its dispute resolution service or by the court.

### Insurance-based scheme

Contact the scheme if your landlord doesn't return your deposit within 10 days of your request or if there is a dispute about deductions.

### Dispute resolution service

Every scheme has a dispute resolution service which will decide how much of your deposit should be returned to you. This service is free.

### Going to court

If your landlord doesn't agree to use a dispute resolution service, you can take court action. If your landlord didn't protect your deposit or protected it late, you can [claim compensation](#).

## Further advice

You can get further advice from [england.shelter.org.uk/housing\\_advice](https://www.england.shelter.org.uk/housing_advice), local Shelter advice service or local Citizens Advice. If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on **0808 800 4444** for advice and information on your options.\*

\*Calls are free from UK landlines and main mobile networks.



Funded by  
UK Government



Registered charity in England and Wales (263710)  
and in Scotland (SC002327).

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