

LEGAL



Landlord and Tenant Deposit Protection Rights

Deposit Protection schemes are in place to provide a fair and uncomplicated process for returning deposits once a tenancy has ended.

Under section 213 Housing Act 2004, landlords must protect assured shorthold tenancy deposits by placing it within a Deposit Protection Scheme within 30 days of receiving the money. The landlord must then provide the tenant with a certificate informing them where the money is held. Once the tenancy comes to an end, both parties should discuss any deductions (if any) and the landlord should return the agreed amount within 10 days.

Some agreements do not have a requirement for a deposit to be protected, such as a licence agreement, lodger agreements and student halls arrangements. It is important to distinguish between these types of agreement as you will not be entitled to deposit protection if you have one of these and your rights will be determined by the contractual terms within the tenancy agreement.

Deposit Disputes

Where a dispute arises both parties should attempt to reach a resolution through private negotiation but, where this is not possible, the deposit protection scheme can support you to reach a resolution. You should contact the deposit protect scheme directly to raise a dispute within 3 months of vacating the property. Deposit protection scheme can assist in resolutions where the landlord refuses to return your deposit or there is a disagreement about the deductions

being made. Although, the burden of proof is with the landlord to justify deductions, the scheme will ask both parties to provide evidence.

Unprotected deposits

If a landlord fails to protect your deposit, you may be entitled to claim back the deposit and, at the discretion of the court, up to three times the amount. If you are concerned your deposit may not have been protected, you should follow these steps:

1. Write to the landlord/agent requesting information about the deposit protection scheme holding your deposit.
2. Contact all three deposit protection schemes to determine whether they are holding your deposit. These include Deposit Protection Service, My Deposits and the Tenancy Deposit Scheme. Contact information can be located through the website: www.gov.uk/tenancy-deposit-protection.

Once you have established that the deposit has not been protected you should send a letter before action to the landlord prior to beginning a claim. The letter should outline your concerns and request for the deposit to be returned within 14 days. The letter should clearly state that failure to comply with the request may result in the matter escalating to court.

Court application

If the 14 days lapse and the landlord has failed to respond or continued to refuse to refund the deposit you can consider escalating the concern through your local magistrates or

county court. To apply, you will need to complete 3 copies of the N208 form alongside any evidence you wish to reply upon such as the tenancy agreement or evidence of your deposit being paid to the landlord.

Scotland

The Private Housing (Tenancies) (Scotland) Act 2016 states that if a deposit scheme is not used, a Tenant can apply to the First-Tier Tribunal for Scotland (Housing and Property Chamber), either during the tenancy or up to three months after it ends. The Tribunal can order the landlord to pay up to 3 times the deposit to the tenant.

Northern Ireland

The Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 states that landlords should protect the deposit within 14 days of receiving the deposit and provide a receipt to the tenant within 28 days. If landlords fail to comply with these requirements, you can contact your local council who are able to impose penalties of up to 3 times the deposit or a fine of up to £20,000.

Republic of Ireland

The Republic of Ireland does not have a tenancy Deposit Protection scheme currently.

If you need any support, our **confidential helpline** is available 24/7, 365. Alternatively, if you have access to **My Healthy Advantage**, you can view a variety of resources including our video series, **BrightTV**, featuring a variety of well-known names sharing their personal experiences with mental health.



WELLBEING

Mental Health Awareness Week (10–16th May)

This year, the 10th-16th May is Mental Health Awareness week. And this year, the selected theme is 'nature'.

Mental Health Awareness Week is an annual event when there is an opportunity for the whole of the UK to focus on achieving good mental health. The Mental Health Foundation started the event 21 years ago. Each year the Foundation continues to set the theme, organise and host the week. The event has grown to become one of the biggest awareness weeks across the UK and globally.

Mental Health Awareness Week is open to everyone. It is all about starting conversations about mental health and the things in our daily lives that can affect it. This year we want as many people as possible—individuals, communities and governments—to think about connecting with nature and how nature can improve our mental health.

However, the week is also a chance to talk about any aspect of mental health that people want to—regardless of the theme.

Why nature?

The theme was chosen because being in nature is known to be an effective way of tackling mental health problems and of protecting wellbeing.

This seemed particularly important this year—in the year of a pandemic. Research has shown that being in

nature has been one of the most popular ways the public have tried to sustain good mental health at a challenging time.

The hope is that by growing awareness of the importance of nature to good mental health, we can also work to ensure that everyone can share in it.

Nature is something that is all around us. It can be really helpful in supporting good mental health. Let's all try to make that connection clearer for both individuals and policy makers.

What can I do?

Stories are the best tools we have to influence change. Unless we can demonstrate nature's role in bringing solace and joy to our lives, it will remain under-valued and under-used.

You should share stories of how nature has supported your mental health. This might be as simple as tending to a house plant, listening to the birds, touching the bark of trees, smelling flowers or writing a poem about our favourite nature spot.

Whatever it is for you, we invite you to **#ConnectWithNature** and share what this means for you.

During Mental Health Awareness Week, you should take the time to do three things:

Experience nature: take time to recognise and grow your connection with nature during the week. Take

a moment to notice and celebrate nature in your daily life. You might be surprised by what you notice!

Share nature: take a photo, video or sound recording and share the connections you've made during the week, to inspire others. Join the discussion on how you're connecting with nature by using the hashtags **#ConnectWithNature** **#MentalHealthAwarenessWeek**

Talk about nature: discuss in your family, school, workplace and community how you can help encourage people to find new ways to connect with nature in your local environment.

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TOPICAL

World Meditation Day

It's more than a New Age distraction—meditation is becoming more and more common as modern life gets more and more complex.

Friday 21st of May is World Meditation Day! Hopefully homes, schools and workplaces will be thrumming with the sound of concentration and enlightenment, as people globally chant "Aum" and attain Nirvana.

What is meditation?

Meditation is a set of techniques which encourage a heightened form of awareness. It can help attain heightened states of consciousness and awareness, which can have a positive effect on wellbeing. Mindfulness? That's essentially a modern, abridged form of meditation.

Meditation has been practiced in one form or another across the world for thousands of years. While it has a religious context—Buddhism, Hinduism, Thelema, Christianity, Judaism, and Islam all have traditional meditative practices—many people globally use it independently of any religious or spiritual practice. It's available to everyone, everywhere—all you need is a little time.

How can meditation benefit me?

Your consciousness is not rigid—it's more like a stream, shifting fluidly from minute to minute. Meditation is a way to effect changes in that stream, altering how you perceive and respond to the stimuli around you.

It can help with many ailments, both physical and mental. It can help with anxiety, depression, sleep disorders and stress. It aids mindfulness, improves emotional wellbeing, boosts working memory and can even provide benefits to your immune system—here are details on just a few of the ways it can help:

Helping with anxiety

Across the world, anxiety remains one of the leading mental health conditions. Although in severe cases doctors may prescribe medication to help people with their anxiety, they often tend to try a more holistic approach first. Meditation is one of the most common holistic ways to treat the symptoms of anxiety, helping individuals to slow their heart rate, control harmful thoughts and prevent anxiety episodes.

Reducing stress

There's no doubt that the world we live in can be stressful. Although stress is a completely normal bodily response, we shouldn't be feeling stressed regularly as constant stress can cause serious problems in the body. Meditation is a great way to take time out from the busy world and to focus inwardly on yourself. The breathing exercises conducted while meditating can reduce blood pressure and lower stress levels, calming the mind and giving the body time to recover from periods of prolonged stress.

Reducing distractions

The human brain has more things than ever to keep up with and

these combined with the internet and our access to smartphones means that many of us struggle with concentration. Practicing meditation and mindfulness encourages you to think about the present, to live in the current moment and to dismiss distractions, helping you to remain focused when you need to be and to improve your overall productivity.

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