



Preparing your dispute evidence – A checklist for Landlords and Agents

my|deposits **Northern Ireland** offer a free dispute resolution mechanism to resolve deposit disputes. In the unlikely event of a formal dispute, you will need to provide **evidence** to support your claim of withholding any amount of the deposit.

The adjudicators are only able to consider the evidence you submit. We have put together a checklist to highlight the key documents and evidence that you will need to support your claims in a dispute.

It's important to remember that preparing for a dispute starts at the beginning of the tenancy:

At the beginning of the tenancy:

1. Tenancy agreement

- a) This is the legal contract between you and your tenant, therefore ensure that it is fair, clear, concise and well worded. Make sure that your tenant knows what is required of them.
- b) Include thorough details such as deposit amount, rent payments, payment dates, check out fee, garden maintenance.

2. Inventory reports

The inventory provides a complete record of fixtures, fittings and decor allowing you to record the standard of the property before your tenant moves in.

- a) At check in we recommend that both you and your tenants are in attendance to sign and date the inventory.
- b) Besides an accurate list of contents, a good inventory will thoroughly describe the condition and cleanliness of the contents and the property itself.
- c) Be sure to compile the inventory after the previous tenants have left and removed their own possessions.
- d) The written word is key, however photographic evidence should be used to support your inventory. Digitally dated photographs can be incorporated in the main inventory along with indexed video evidence. Any images which are not included within the main inventory should be signed and dated by you and your tenant. Remember to keep copies.
- e) It is advisable to use a professional inventory service to do an inventory on your behalf.

3. Invoices and receipts

- a) Keep receipts for proof of purchase for anything you buy at the beginning of the tenancy in the event of any damage. Receipts may be used to show the original value and your calculation in withholding the deposit.
- b) Where relevant, remember to provide instruction manuals or special conditions regarding treatment to the tenant.

4. Prescribed Information

- a) Every time you issue a new tenancy agreement, remember to protect the deposit within 14 calendar days of receiving it, and pass the Prescribed Information on to your tenants within 28 days of receiving the deposit from your tenant.



During the tenancy:

5. Rent Account Statements

- a) Keep accurate records of rent received from tenants and any unpaid rent.
- b) Have an arrears procedure and ensure that you inform the tenant in writing of any lapses. Any penalties should be fair and proportionate.

6. Invoices, receipts, utility bills for charges incurred during the tenancy

- a) Document payments such as cleaning charges, damages, repairs etc with invoices and receipts.
- b) Costs for changes made to the property.
- c) Keep bank statements as evidence of costs incurred.

7. Other evidence

- a) Keep copies of any correspondence such as emails and letters between you and your tenant.
- b) Record any witness statements in writing.

8. Reminder to the tenant

- a) Remind the tenant of their obligations under the tenancy agreement before it ends, preferably in writing.

At the end of the tenancy:

9. Check out report

The check out report compares damage and cleanliness of the overall condition of the property at the end of the tenancy with the inventory and check in reports from the start of the tenancy.

- a) Ensure both you and your tenants attend the check out, the tenant should be packed and ready to leave.
- b) This is a good time to highlight any concerns. Use the check in as a reference and ensure tenant's comments are noted. If you annotate this by hand, ensure that it is legible.
- c) Use the same descriptions in the report as in check in eg. Good fair, poor. If you use an Inventory Clerk for check in, use the same person for check out.
- d) Take photographs again, sign and digitally date.

Remember to allow for fair wear and tear at the end of the tenancy. Consider what is wear over time, the age of items and what is actual damage. Take into account the length of the tenancy, the number and age of occupiers.

10. Speak to the tenant

- a) Discuss any issues with your tenant; this is a good time to prevent a dispute by highlighting areas for concern.

This checklist is for guidance only and does not guarantee a successful Dispute Resolution result. The adjudicator's decision is impartial and will depend on the evidence submitted by both parties and the individual circumstances of the dispute.



0333 321 9403

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