



You hold



**Insurance**

You hold  
the deposit

## Letting Agent Application Form

### my|deposits Northern Ireland insurance based option

Designed for letting agents who want to keep hold of the deposit for the duration of the tenancy.

- ✓ **Hold all tenant deposits**
  - In your segregated bank account, for the duration of the tenancy.
- ✓ **Control the deposit**
  - Make agreed deductions to the deposit if you need to without involving us.
  - Freedom to resolve issues with your tenants directly.
- ✓ **Save time and money**
  - Use our online services to manage your portfolio and disputes.
- ✓ **Open to all Letting Agents**
  - You do not need to be a member of a trade body (ARLA, NALS, RICS etc) to join and use our insurance based scheme.



# Who should complete this application form?

Only Agents that take and hold tenancy deposits on tenancy agreements, on behalf of their Landlord Clients, in Northern Ireland should complete this form. If you do not hold the deposit on behalf of your Landlord Client (e.g. you pass the deposit to the Landlord for safe-keeping) then the responsibility to protect the deposit lies with the Landlord.

## About the my|deposits Northern Ireland Tenancy Deposit Protection Scheme

my|deposits **Northern Ireland** is a Government-licenced tenancy deposit protection scheme.

- You pay a fee to protect the deposit and then hold it in your Client Money Account for the duration of the tenancy agreement.
- At the end of the tenancy you are free to speak with your tenant about the return of the deposit and resolve any issues you have with your tenant directly.
- We offer a free impartial deposit dispute resolution mechanism if you and the tenant fail to agree on the amount to be returned at the end of the tenancy.
- If a dispute is raised, we will only need to hold the disputed part of the deposit until a decision is reached at the end of the dispute process. We will then return the disputed deposit amount in accordance with the outcome of the dispute resolution.

The individual deposits that are protected by my|deposits **Northern Ireland** are not specifically insured.

my|deposits **Northern Ireland** is the insured party and this enables us to claim on our insurance policy and pay the Tenant should you fail to provide the disputed amount to us when requested to do so.

The legislation states that the deposit presented to the Landlord or Agent at the beginning of the tenancy belongs to the Tenant and they can expect it to be returned in full at the end of the tenancy. If the Landlord/Agent feels they are entitled to withhold all or part of the deposit at the end of the tenancy they must provide evidence to prove the Tenant's breach of the contract, and quantify the loss that has been suffered in consequence of that breach.

## About Deposit Protections

- my|deposits **Northern Ireland** offers a flexible payment plan. You can either 'pay-as-you-go' or use an annual model.
- A deposit protection fee is payable within 14 calendar days of receipt of the deposit to protect the deposit until the end of the fixed term.
- You do not have to reprotect a deposit if the tenancy is allowed to continue into a Periodic Tenancy.
- If you create a new fixed term tenancy, even if it is issued to the same Tenant(s) and uses the same deposit, a new protection must be purchased.
- Please contact us directly to discuss the annual model payment plan.

## Determining your Membership Category

**my|deposits Northern Ireland** is open to all letting agents, provided you can meet our membership criteria.

There are two different **my|deposits Northern Ireland** membership categories and fee structures for letting agents that are determined by whether you have Client Money Protection Insurance (CMP).

Agents who are members of accreditation bodies such as NALS, ARLA, UKALA, RICS and NAEA represent a lower risk to **my|deposits Northern Ireland** because they hold CMP and therefore provide **my|deposits Northern Ireland** and the Tenant with an alternative route to the recovery of misappropriated funds if an Agent Member becomes insolvent. It is therefore right to recognise this difference in risk with lower protection fees.

The two membership categories are:

1. Agents with CMP: SAFEagent members, The National Approved Letting Scheme (NALS), The Royal Institution of Chartered Surveyors (RICS), The Association of Residential Letting Agents (ARLA), The National Association of Estate Agents (NAEA) the Law Society, and UK Association of Letting Agents (UKALA).
2. All other letting agents.

Evidence of Membership or registration to the above must be provided with this application form.

## Fees

There is usually an initial one off joining fee to become a member of **my|deposits Northern Ireland**, which is currently free to all agents until 1 April 2014. Thereafter, there will be a small fee to renew your account. There is then an individual protection fee to protect each deposit.

		Discounted Fee until 1 April 2014	Fees after 1 April 2014
<b>Joining Fees</b>	Agents that hold separate Client Money Protection Insurance (CMPI)*	FREE	£50 plus VAT per membership
	All Other Agents	FREE	£100 plus VAT per membership
<b>Protection Fees</b>	Agents that hold separate Client Money Protection Insurance (CMPI)*	£9 plus VAT	£10 plus VAT
	All Other Agents	£30 plus VAT	£35 plus VAT
<b>Annual Renewal Fee</b>	Agents that hold separate Client Money Protection Insurance (CMPI)*	Not applicable	£50 plus VAT per membership
	All Other Agents	Not applicable	£100 plus VAT per membership

\*eg. ARLA, RICS, NALS/UKALA/Law Society, CM Protect

## Branches

You can add as many branches to your Membership as you wish. Your main head office will receive all correspondence from **my|deposits Northern Ireland** (including Membership information and billing statements) and will be responsible for payment of all branch registration, account renewals and deposit protection transactions. If you require your branches individually to receive information and/or undertake payment transactions then each branch is required to join **my|deposits Northern Ireland** separately. They will need to complete a Membership application form and pay a separate membership fee.

## What you will need to complete this form:

- Your principal business address
- Your business contact details, including email address
- Your business owners' details, including their private addresses
- Your company registered office and registered number (if applicable)
- Your trade organisation membership certificate with number and dates (if applicable)
- An eight letter memorable word that will be used as a password

## Application Form

The application form should be completed in BLOCK CAPITALS using black ink. If you fail to answer a question or do not provide the necessary documentation in support of your answers, your application will be delayed or declined.

Questions marked with an asterisk (\*) are mandatory.

### Section A - Agent Information

\*Q1. Name of Agent

\*Q2. Contact Name

\*Q3. Please state your Head Office correspondence address and postcode.

Address

Postcode

\*Q4. Please provide us with the following contact details

Work telephone

Mobile telephone

Fax number

Email

Q5. Company Registration Number (\*where applicable) as allocated by Companies House.

Q6. Address of Registered Office (\*where applicable).

Address

Postcode

\*Q7. Please provide the full details of all principals, partners, shareholders, business owners and directors and officers of the company. If there is insufficient space please photocopy this section and continue on a separate sheet and securely attach it to this form.

*(my|deposits Northern Ireland reserves the right to check the financial suitability of these persons with credit organisations and to also request personal guarantees if applicable).*

1. Name

Home Address

Postcode

Tel No

Date of Birth

Business Title

Criminal Convictions (past or pending)

Court (past or present)

Number of years with the company

2. Name

Home Address

Postcode

Tel No

Date of Birth

Business Title

Criminal Convictions (past or pending)

Court (past or present)

Number of years with the company

3. Name

Home Address

Postcode

Tel No

Date of Birth

Business Title

Criminal Convictions (past or pending)

Court (past or present)

Number of years with the company

4. Name

Home Address

Postcode

Tel No

Date of Birth

Business Title

Criminal Convictions (past or pending)

Court (past or present)

Number of years with the company

\*Q8. Has your company, partnership, trading entity, its directors, partners and/or business owners ever been:

a) Convicted of (or have a hearing pending) for money laundering, fraud or any other financial crime? YES  NO

## Section B - Security Information

**\*Q1. For security reasons, when you call my|deposits Northern Ireland you will be asked for your memorable word; it should be at least 8 characters long.**

When you call **my|deposits Northern Ireland**, we will ask for the security word to verify that the caller is authorised to access your account and make changes. Please note failure to provide this memorable word when calling will prevent us from answering any specific questions regarding the membership.

My memorable word is:

1	2	3	4	5	6	7	8									
---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--

## Section C - Branch Information

Do not add your Head Office details to the branch list. You should state the main contact in the branch who deals with tenancy deposit protection, including their email address.

If you need to add more branches please add them to a separate sheet of paper and securely attach it to this form.

**Branch 1**

Name:

Address:

Postcode:

Primary Contact:  Email:

**Branch 2**

Name:

Address:

Postcode:

Primary Contact:  Email:

**Branch 3**

Name:

Address:

Postcode:

Primary Contact:  Email:

## Section D - Deposit Protection Information

Q1 to be completed by Agents with Client Money Protection

**\*Q1.** Are you a Member of one (or more) of the following organisations?

Please state your membership number and expiry date if applicable.

SAFEagent Registered

Membership Number

Expiry Date:

YES  NO

00 / 00 / 2000

ARLA (Association of Residential Letting Agents)

Membership Number

Expiry Date:

YES  NO

00 / 00 / 2000

RICS (Royal Institution of Chartered Surveyors)

Membership Number

Expiry Date:

YES  NO

00 / 00 / 2000

NAEA (National Association of Estate Agents)

Membership Number

Expiry Date:

YES  NO

00 / 00 / 2000

NALS (National Approved Letting Scheme)

Membership Number

Expiry Date:

YES  NO

00 / 00 / 2000

Law Society

Name of Regulated Principal

Expiry Date:

YES  NO

00 / 00 / 2000

UKALA (UK Association of Letting Agents)

Membership Number

Expiry Date:

YES  NO

00 / 00 / 2000

You must include a copy of your current membership certificate of the above organisation.

If you are not a member of any of the above bodies please complete Q2.

Q2 to be completed by Agents without Client Money Protection

**\*Q2.** Do you keep tenancy deposits in a segregated Client Money Account which has no right of set-off, lien or charges by the issuing bank, guarantor or other creditors and is used purely for the purpose of holding client monies?

YES  NO

**my|deposits Northern Ireland** require evidence of the existence and correct use of this bank account and confirmation from your bank of your segregated bank account in the form of a letter. You must provide a copy of the last month's bank statement for your Client Money Account as well as a list of deposits held in the account, within three months of joining **my|deposits Northern Ireland** insurance scheme.

I have enclosed a copy of my latest Client Money Account bank statement together with a list of the deposits currently held in it;



## Section D - Deposit Protection Information *contd*

\*Q3. Do you hold a deposit on behalf of landlord clients based overseas? YES  NO

(If the answer is YES please refer to page 14).

\*Q4. What is the estimated value of the deposit pool in total? £

\*Q5. How many tenancy deposits do you currently hold?

\*Q6. What is the average life of your tenancy agreements?

6 months  12 months  18 months  24 months  Other

\*Q7. How many tenancies does your agency look after at any one time?

Fully managed  Let only

\*Q8. Are you currently covered for Professional Indemnity Insurance? YES  NO

## Section E - Payment of Deposit Protection Fees

Your fee to protect deposits is dependent on your membership category. This fee will be confirmed following your application.

Please confirm the method of payment you require to settle protection fees by ticking box 1, 2 or 3 below.

1) MONTHLY INVOICE SETTLED BY DIRECT DEBIT

If you have opted for monthly invoices settled by direct debit, do you wish to opt in to paper invoices in the future? YES  NO

If you answer 'no' we will issue future invoices to your email address as soon as this service becomes available (please write below).

Now please complete the Direct Debit on page 11.

2) PAY-AS-YOU-GO (payment by credit or debit card at the point of protection)

3) ANNUAL ACCOUNT PRICING PLAN

## Section F - Declaration

To the best of my knowledge and belief, the information provided in connection with this application, whether in my own hand or not, is true and I have not withheld any material facts. I understand that non-disclosure or misrepresentation of relevant facts may entitle the Scheme to void my Membership immediately and without appeal.

I have read, understood, and accept the Scheme Rules of Membership. I agree to abide by the Scheme Rules. I accept that my signature binds me, my estate and my personal representatives. Only the signature of a proprietor, director, partner or business owner will be accepted.

**Signature:**  **Name:**   
**Date:**  **Position in company (if applicable):**

### DATA PROTECTION

The Northern Ireland Ministers through the Department for Social Development have appointed Tenancy Deposits (Northern Ireland) Limited trading as **my|deposits Northern Ireland** to run Tenancy Deposit Protection Schemes in Northern Ireland. **my|deposits Northern Ireland** will gather and process the information you provide together with information from other services for the purpose of providing a tenancy deposit scheme as regulated by the Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 or as authorised. You can contact **my|deposits Northern Ireland** on 0333 321 9403, email [enquiries@mydepositsni.co.uk](mailto:enquiries@mydepositsni.co.uk) or write to: **my|deposits Northern Ireland, Ground Floor, Kingmaker House, Station Road, New Barnet, Herts EN5 1NZ.**

Do you wish to receive information about services related to Tenancy Deposit Protection from carefully selected third parties? If so please tick this box.

Do you wish to receive information about the private-rented sector from carefully selected third parties? If so please tick this box.

Unless requested your information will not be passed to third party organisations.

How did you hear of **my|deposits Northern Ireland**? (please tick)

Online search	<input type="checkbox"/>	<b>my deposits Northern Ireland</b>	<input type="checkbox"/>	Other (please state)
Directgov website	<input type="checkbox"/>	business representative		<input type="text"/>
In the media	<input type="checkbox"/>	Event/exhibition	<input type="checkbox"/>	
Through a professional body	<input type="checkbox"/>	Tenant	<input type="checkbox"/>	
Another letting agent	<input type="checkbox"/>	Landlord	<input type="checkbox"/>	

**Agents with CMP (via their trade organisation) do not need to provide further information, unless registering an overseas landlord (see Appendix B). Please return your completed form to the address below.**

**All other agents may require use of Appendix A (and B) to provide the relevant information.**

**mydeposits Northern Ireland,  
Ground Floor, Kingmaker House,  
Station Road, New Barnet,  
Hertfordshire EN5 1NZ**



my|deposits  
Northern Ireland

Instruction to your bank  
or building society to pay  
by Direct Debit

Please fill in the whole form using a ball point pen and send it to:

Tenancy Deposits (NI) Ltd  
Ground Floor  
KIngmaker House  
Station Road  
New Barnet  
Herts  
EN5 1NZ

Service user number

4	3	9	6	2	4
---	---	---	---	---	---

Name(s) of Account Holder(s):


Reference

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Bank/building society account number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Instruction to your bank or building society

Please pay Tenancy Deposits (NI) Ltd Direct Debits from the account detailed in this Instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this Instruction may remain with Tenancy Deposits (NI) Ltd and if so, details will be passed electronically to my bank/building society.

Branch sort code

--	--	--	--	--	--	--	--

Name and full postal address of your bank or building society

To: The Manager	Bank/building society
Address	
Postcode	

Signature(s)
Date

Banks and building societies may not accept Direct Debit instructions for some types of account.

DD12

This guarantee should be detached and retained by the payer.

The  
Direct Debit  
Guarantee



- This Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits.
- If there are any changes to the amount, date or frequency of your Direct Debit Tenancy Deposits (NI) Ltd will notify you 10 working days in advance of your account being debited or as otherwise agreed. If you request Tenancy Deposits (NI) Ltd to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit by Tenancy Deposits (NI) Ltd or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society.
  - If you receive a refund you are not entitled to, you must pay it back when Tenancy Deposits (NI) Ltd asks you to.
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify us.

# Appendix A - Setting up your Client Money Account

## Definition of a Segregated Client Money Bank Account

A ring-fenced client money account with a UK clearing bank or building society which segregates client monies. This account must be free of any adverse claim or conditions and is to be retained for the specific purpose of holding client money only.

*NB: Unlawful interference with the Client Account will amount to a criminal offence.*

We have provided suggested 'template letters' so that you can exchange letters with your bank confirming the integrity of your Client Money Account with them. Please see overleaf.

## TEMPLATE LETTER TO SEND TO YOUR BANK

Date  
Name of Bank  
Address

Dear Sir

**Re: Tenancy Deposit Protection Scheme Membership requirement for a Segregated Client Money Account**

We are currently applying for membership of **my|deposits Northern Ireland**; one of the Government approved Tenancy Deposit Protection Schemes. They require us to hold all tenants' deposits in a segregated and ring-fenced client money account so that it, at no time, forms part of the assets of our business.

Accordingly we must supply **my|deposits Northern Ireland** with a letter from our Bank in the form shown on the specimen attached.

We would be grateful if you would forward the appropriate letter to us as soon as possible to enable us to progress our membership application.

Thank you for your assistance and we look forward to hearing from you.

Yours faithfully

Name  
Firm

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## TEMPLATE LETTER FOR APPLICANT FIRM'S BANK TO SEND TO APPLICANT FIRM ON THE BANK'S LETTER HEADED PAPER

Date  
Applicant Firm's Name  
Address

Dear .....

**Re: Applicant Firm's Name.  
Client Money Account(s) No(s):**

We, **[name of bank]**, confirm that the above account(s) is/are set up as (a) client money account(s). All money standing to the credit of the above account(s) is held by **[Applicant Firm's name]** as nominees and we are not entitled to combine the named account(s) with any other account(s) or to exercise any right of set off or counterclaim against money in that (those) client account(s) in respect of any sum owed to us on any other account of **[Applicant Firm's name]** or any of its subsidiary companies.

The nominated account clearly indicates CLIENT ACCOUNT as part of the title.

Yours sincerely

For and on behalf of **[name of bank]**.

## Appendix B - Application to Register Overseas Landlords

Should you wish to register Landlord Clients that are based outside the UK, you must have authorisation from **my|deposits Northern Ireland** before you are able to protect deposits on their behalf. Please complete the following:

**my|deposits Northern Ireland** Membership Number: \_\_\_\_\_

1) This is to confirm that, in respect of our Overseas Landlord Clients, [ *insert your Agency name* ] is a member of one of the following associations,

- |   | Please tick |
|---|-------------|
| i. The National Landlords Association Agents (NLA), and/or      | [ ]         |
| ii. The Association of Residential Letting Agents (ARLA) and/or | [ ]         |
| iii. The National Association of Estate Agents (NAEA), and/or   | [ ]         |
| iv. The Residential Landlords Association (RLA), and/or         | [ ]         |
| v. The Royal Institution of Chartered Surveyors (RICS), and/or  | [ ]         |
| vi. The UK Association of Letting Agents (UKALA), and/or        | [ ]         |
| vii. The National Approved Letting Scheme (NALS)                | [ ]         |
| viii. The Ombudsmen for Estate Agents                           | [ ]         |
| ix. The Law Society   | [ ]         |

2) Enclosed a copy of [ *insert your Agency name* ]'s certificate showing current membership of the association ticked above. [ ]

3) Evidence of a Segregated Client Money Account in the form of the latest Bank Statement – attached [ ]

4) This is to further confirm that, in respect of our Overseas Landlord Clients, [ *insert your Agency name* ] has:

1. the Tenant's Deposit held in a segregated 'Client Money Account' as defined in the **my|deposits Northern Ireland** Scheme Rules for Agents
2. a written clause within the signed contract that we have with each of our Landlord Clients that gives us the right, on behalf of those Landlord Clients, to make decisions on the return of the deposit to the Tenant and are able to lodge any disputed deposit monies with the **my|deposits Northern Ireland** Tenancy Deposit Protection scheme if requested to do so by the Scheme without the need for any recourse to the Overseas Landlord whose property letting we are managing.

Signed on behalf of Agent Member: Name: \_\_\_\_\_

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Approved on behalf of Name: \_\_\_\_\_

**my|deposits Northern Ireland:** Date: \_\_\_\_\_

We will supply you with a countersigned copy for your records. Please note your request to register Overseas Landlords will be declined if you fail to complete all four sections above.



 0333 321 9403

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and HFIS plc T/A Hamilton Fraser Insurance (the Scheme Administrator).



**Northern Ireland  
Executive**

[www.northernireland.gov.uk](http://www.northernireland.gov.uk)

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**my|depositsni.co.uk**  
*supporting you*