



Tenant Fees Act 2019

CHAPTER 4

TENANT FEES ACT 2019

Prohibitions etc applying to landlords and letting agents

- 1 Prohibitions applying to landlords
- 2 Prohibitions applying to letting agents
- 3 Prohibited and permitted payments
- 4 Effect of a breach of section 1 or 2
- 5 Treatment of holding deposit

Enforcement

- 6 Enforcement by local weights and measures authorities
- 7 Enforcement by district councils
- 8 Financial penalties
- 9 Power to amend maximum financial penalties
- 10 Recovery by enforcement authority of amount paid
- 11 Interest on payments under section 10
- 12 Offences
- 13 Offences by bodies corporate
- 14 Duty to notify when taking enforcement action
- 15 Recovery by relevant person of amount paid
- 16 Assistance to recover amount paid
- 17 Restriction on terminating tenancy

Amendments to the Consumer Rights Act 2015

- 18 Duty to publicise fees on third party websites
- 19 Information about membership of client money protection scheme
- 20 Penalties for continuing breach of duty

Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019. (See end of Document for details)

Client money protection schemes

- 21 Enforcement of client money protection schemes for property agents
- 22 Client money protection schemes: approval and designation
- 23 Client money protection schemes: requirement to belong to a scheme etc

Lead enforcement authority

- 24 Lead enforcement authority
- 25 General duties of the lead enforcement authority
- 26 Enforcement by the lead enforcement authority

General interpretation

- 27 Meaning of “letting agent” and related expressions
- 28 Interpretation

Final provisions

- 29 Consequential amendments
- 30 Transitional provision
- 31 Financial provisions
- 32 Crown application
- 33 Extent
- 34 Commencement
- 35 Short title

SCHEDULES

SCHEDULE 1 — Permitted payments

Rent

- 1 (1) A payment of rent under a tenancy is a...

Tenancy deposit

- 2 (1) A payment of a tenancy deposit is a permitted...

Holding deposit

- 3 (1) Subject to sub-paragraphs (3) to (6), a payment of...

Payment in the event of a default

- 4 (1) Subject to sub-paragraphs (3) to (8), a payment in...
- 5 A payment of damages for breach of a tenancy agreement...

Payment on variation, assignment or novation of a tenancy

- 6 (1) A payment is a permitted payment if it is...

Payment on termination of a tenancy

- 7 (1) A payment is a permitted payment if it is...

Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019. (See end of Document for details)

Payment in respect of council tax

- 8 (1) A payment to a billing authority in respect of...

Payment in respect of utilities etc

- 9 (1) A payment for or in connection with the provision...

Payment in respect of a television licence

- 10 (1) A payment to the British Broadcasting Corporation in respect...

Payment in respect of communication services

- 11 (1) A payment for or in connection with the provision...

SCHEDULE 2 — Treatment of holding deposit

Application

- 1 This Schedule applies where a holding deposit is paid to...

Interpretation

- 2 (1) In this Schedule “the deadline for agreement” means the...

Requirement to repay holding deposit

- 3 Subject as follows, the person who received the holding deposit...
4 If paragraph 3 applies, the deposit must be repaid within...
5 (1) The person who received the holding deposit must repay...

Exceptions

- 6 Paragraph 3(a) does not apply if or to the extent...
7 If all or part of the amount of the deposit...
8 Paragraph 3(b) or (c) does not apply if—
9 Paragraph 3(b) or (c) does not apply if the tenant...
10 Subject to paragraph 13, paragraph 3(c) does not apply if...
11 Subject to paragraph 13, paragraph 3(c) does not apply where...
12 Subject to paragraph 13, paragraph 3(c) does not apply where...
13 Paragraph 10, 11 or 12 does not apply (so that...)

SCHEDULE 3 — Financial penalties etc

Interpretation

- 1 (1) In this Schedule references to a financial penalty include...

Notice of intent

- 2 (1) This paragraph applies where an enforcement authority proposes to...

Right to make representations

- 3 A person who receives a notice of intent may, within...

Changes to legislation: There are currently no known outstanding effects for the Tenant Fees Act 2019. (See end of Document for details)

Final notice

- 4 (1) After the end of the period mentioned in paragraph...

Withdrawal or amendment of notice

- 5 (1) The enforcement authority may at any time—

Appeals

- 6 (1) A person on whom a final notice is served...

Recovery of financial penalty

- 7 (1) This paragraph applies if a person who is liable...

Recovery of prohibited payment etc

- 8 (1) This paragraph applies if a person who is liable...

Assistance to recover prohibited payment etc

- 9 (1) An enforcement authority may help a relevant person to...

Proceeds of financial penalties

- 10 Where an enforcement authority imposes a financial penalty under this...
- 11 Any proceeds of a financial penalty imposed under this Act...
- 12 (1) In paragraph 10, “enforcement functions in relation to the...

Changes to legislation:

There are currently no known outstanding effects for the Tenant Fees Act 2019.