



# 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

*Status: This is the original version (as it was originally enacted).*

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*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

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SCHEDULES

SCHEDULE 1 — Permitted payments

- 1 Rent
- 2 Tenancy deposit
- 3 Holding deposit
- 4 Payment in the event of a default
- 5 A payment of damages for breach of a tenancy agreement...
- 6 Payment on variation, assignment or novation of a tenancy
- 7 Payment on termination of a tenancy
- 8 Payment in respect of council tax
- 9 Payment in respect of utilities etc
- 10 Payment in respect of a television licence
- 11 Payment in respect of communication services

SCHEDULE 2 — Treatment of holding deposit

- 1 Application
- 2 Interpretation
- 3 Requirement to repay holding deposit
- 4 If paragraph 3 applies, the deposit must be repaid within...
- 5 (1) The person who received the holding deposit must repay...
- 6 Exceptions
- 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

- 1 Interpretation
- 2 Notice of intent
- 3 Right to make representations
- 4 Final notice
- 5 Withdrawal or amendment of notice
- 6 Appeals
- 7 Recovery of financial penalty
- 8 Recovery of prohibited payment etc
- 9 Assistance to recover prohibited payment etc
- 10 Proceeds of financial penalties
- 11 Any proceeds of a financial penalty imposed under this Act...
- 12 (1) In paragraph 10, “enforcement functions in relation to the...