



House of Commons
NOTICES OF AMENDMENTS

given on
Wednesday 14 May 2014

*For other Amendment(s) see the following page(s) of Supplement to Votes:
 2207-2227*

CONSIDERATION OF BILL

DEREGULATION BILL, AS AMENDED

Statutory periodic tenancy: payment of deposit

Philip Davies [R]

NC16

To move the following Clause:—

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 215, paragraph (5), at end insert—

“Shorthold tenancy deposit: further requirements

215A(1) A tenancy deposit shall not be treated as being paid or received in connection with a shorthold tenancy by reason only of the deemed grant of a statutory periodic tenancy pursuant to the provisions of section 5(1) of the Housing Act 1988 (“the 1988 Act”).

(2) Subsection (1) shall apply (and shall always be deemed to apply) in respect of any tenancy deposit whenever it was paid or received whether before or after the coming into force of sections 212 to 215 of the Housing Act 2004 (“the 2004 Act”).

(3) Where—

- (a) a tenancy deposit has been received in relation to a shorthold tenancy under a tenancy (“the original tenancy”);
- (b) the original tenancy was granted as a fixed term tenancy;
- (c) the original tenancy commenced before 6 April 2007;
- (d) immediately upon the expiry of the fixed term of the original tenancy a statutory periodic tenancy was deemed to be granted pursuant to section 5(1) of the 1988 Act;

Deregulation Bill, *continued*

- (e) the initial requirements (as defined by section 213(4) of the 2004 Act) have not been complied with in respect of that tenancy deposit; and
 - (f) no event has occurred on or after 6 April 2007 which would otherwise require that tenancy deposit is to be protected in accordance with an authorised scheme under section 213 of the 2004 Act the provisions of subsection (4) shall apply to that tenancy deposit.
- (4) The initial requirements under section 213(4) of the 2004 Act and the requirements of section 213(6) of that Act (relating to prescribed information) must be complied with in respect of any tenancy deposit referred to in subsection (3) within 3 months of the date when the provisions of this Act come into force.
- (5) The expressions “tenancy deposit” and “shorthold tenancy” in this section shall have the same meanings as for the purposes of sections 212 to 215 of the 2004 Act.”.
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