



Review of Tenancy Deposit Schemes in Scotland



PEOPLE, COMMUNITIES AND PLACES

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Executive summary

Since 2012 all tenancy deposits in relation to the private rented sector must now be protected by one of three tenancy deposit schemes. The Minister for Local Government and Housing decided that as the schemes were approaching the end of the fifth year of operation, the time was right for a review of the three approved schemes

The review intended to achieve the following:

- examine whether the introduction of the tenancy deposit scheme (TDS) resolved the issues it was intended to
- understand whether the TDS works well for all tenants
- understand whether the TDS works well for all landlords
- explore why are deposits going unclaimed and explore what should be done with the unclaimed monies
- assess whether the current regulations fair and fit for purpose

The schemes were sent written questionnaires to complete electronically, whilst landlords and tenants completed an online survey distributed through the schemes themselves.

Key findings from the **schemes' perspective**:

- There is a broad consensus that the regulations¹ continue to provide a robust regulatory framework for the protection of tenants' deposits and the conditions for the operation of the schemes.
- Unclaimed deposits appear to come mainly from students, especially overseas students.
- Initial operation of the tenancy deposit service required more direct support with tenants and landlords than anticipated
- There is evidence that early education and support for tenants and landlords as provided by schemes is improving performance.
- There has been an issue around the impact of low interest. In particular, five-year rates offered now are lower than those achieved in 2013/14. This may have an effect on account surpluses in the future if the rates do not increase and could have a knock on impact for scheme's ability to innovate.

¹ The Tenancy Deposit Schemes Regulations 2011 - <http://www.legislation.gov.uk/ssi/2011/176/note/made>

Key findings from the **tenants' perspective**:

- The majority of tenants knew enough about the purpose and the way the schemes work. Tenants in older households, in small towns and rural areas, and those who did not rent their property through a letting agent were more likely to agree that they knew enough about the tenancy deposit schemes.
- Tenants who had received information reported that they did so mainly through their letting agent, followed by the scheme itself and less frequently by their landlord.
- Some tenants felt that they needed more information, particularly about what happens in case of a disagreement regarding the deposit, how the deposit will be returned and how to make a complaint. Tenants in older households, were more likely to want further information about their scheme.
- Around 8 out of 10 tenants could not recall having left an unclaimed deposit and did not know someone who had, and this proportion was higher for tenants in older households.
- The vast majority of tenants claimed that their deposit was protected by one of the schemes, with 7 out of 10 reporting that it has been protected within 30 days of the start of the tenancy. However, 20% of the tenants, especially tenants with children, reported that they had a tenancy in the last five years where the deposit had been unprotected.
- Around 9 out of 10 tenants felt confident that their deposit was safe, with tenants in older households, those who did not use a letting agent and those whose tenancy began more recently being the most satisfied with their scheme. Tenants generally felt that they have been treated fairly by the scheme, especially tenants in older households and those who had not used a letting agency.
- Tenants were asked a series of questions about a tenancy that ended in the last three years and their experiences reclaiming their deposits. Almost 8 out of 10 tenants received their deposit back on time and the majority received their deposit in full, with 67% receiving their deposit back on time and in full, especially tenants in older households, tenants who did not use a letting agent and those whose tenancy ended before 2017.
- The most common reasons for not receiving a deposit back on time was delay caused by the landlord and by negotiations.
- The most common reason for deposit deductions was damage to the property, followed by rent arrears. Almost 6 out of 10 tenants who did not receive back their deposit in full and/or on time did not dispute it with the scheme, mainly because they already had enough information or they didn't think it would make any difference.

Key findings from the **landlords' perspective**:

- Longer-term landlords were more likely to be informed about how tenancy deposit schemes work compared to newer landlords.
- The vast majority of landlords were positive about the tenancy scheme regulations and especially felt that they were good for their tenants and ensured that the deposits are protected, while more than half agreed that the regulations were also good for landlords and that they ensured deposits were returned quickly and fairly. Longer-term landlords and those owning more than one property were less positive towards the scheme regulations.
- Longer-term landlords were asked their overall opinion about the schemes in 2012 – when the schemes were first introduced, and again in 2018. In 2012, 4 out of 10 landlords were positive towards the scheme, 34% were neutral, while 21% felt negative. In 2018, opinions were slightly more positive, but a quarter still felt negative towards the scheme.
- Unclaimed deposits continue to be protected by the schemes and the Scottish Government is exploring how best to deal with them. Just over half of landlords would not object to this money being invested in improving the private rented sector. Of those that did not agree with this suggestion, the majority suggested that landlords should be given the money with a smaller proportion suggesting the money should be given to charity, to homelessness or to the social/affordable housing sector.
- The majority of landlords claimed to be satisfied with the scheme they use, mainly because protecting their tenants' deposit had been easy. However, 1 out of 10 landlords was dissatisfied with their scheme, most commonly because the scheme was unable to resolve an issue for them.
- Landlords were more likely than tenants to have used the dispute service of the scheme, but still the majority had not, mainly because they did not want to spend time/effort or because they had already agreed with the tenant.
- Finally, landlords' were asked how much they knew about recent private renting sector changes. Awareness was generally low; 4 out of 10 knew a lot about the new private residential tenancy, but far fewer knew a lot about letting agent registration, letting agent code of practices or the First-Tier Tribunal for Scotland. Landlords owning more than one property tended to be more informed on the changes, as well as intentional and longer-term landlords.

Introduction

Background

In October 2016, the Minister for Local Government and Housing decided that as the schemes were approaching the end of the fifth year of operation, the time was right for a review of the three approved schemes and asked officials to make plans for this. The Minister agreed in November 2016 that officials would carry out an early review of the governance arrangements in place for each of the three tenancy deposit schemes.

A desk-top review of governance arrangements was carried out by the Scottish Government policy lead for tenancy deposit schemes with input from each of the three schemes.

This wider review implements some of the recommendations from the initial governance review and covers the period from July 2012 to June 2018. It includes general reflections from scheme administrators from start-up and early operations through to development of private rented sector reform and interaction with new legislation, as well as feedback from tenants and landlords who have experienced the schemes.

Policy objectives and implementation

The original objectives for bringing forward tenancy deposit regulations and approved tenancy deposit schemes were:

- to reduce the number of unfairly withheld tenancy deposits;
- ensure that deposits are safeguarded throughout the duration of the tenancy;
- ensure that deposits are returned quickly and fairly, particularly where there is a dispute over the return of the deposit, or proportion of it, to tenant or landlord.

The policy remains consistent with the broader objective of supporting the growth of a professional, high quality private rented sector that can be considered as a desirable and sustainable housing solution.

The following tenancy deposit schemes (the schemes) were established in July 2012:

- Letting Protection Service Scotland
- MyDeposits Scotland
- Safe Deposits Scotland

All deposits must now be protected by one of the schemes within 30 working days of the beginning of the tenancy.

Policy developments

Monitoring of the schemes over the past five years has highlighted the previously unforeseen issue of unclaimed deposits. These deposits continue to be protected by the schemes and the Scottish Government is exploring how best to deal with this issue as part of this review.

The tenancy deposit regulatory framework may need to adjust to fit with recent private rented sector housing reforms including the new private residential tenancy, the new letting agents regime and the transfer of jurisdictions for tenancy deposit disputes from the sheriff court to the First-tier Tribunal Housing and Property Chamber. We need to ensure that the Tenancy Deposit Schemes (Scotland) Regulations 2011 (the regulations) continue to deliver a robust regulatory framework for the foreseeable future.

Legislative Background

Part 4, section 122 (4) of the Housing (Scotland) Act 2006, gives Scottish Ministers a power to approve a tenancy deposit scheme and obliges Ministers to review each scheme from time to time and gives them power, once they have done so, to ensure that any scheme is revised.

Ministers can also withdraw their approval of any scheme following a review. Sections 122 (1-4) apply to new schemes or schemes which have been subjected to a review. This means that during a review of a scheme, Ministers must also follow the publicise and consultation obligations in subsection (3), except where they think that the review is unlikely to have a significant adverse effect on anyone.

The Tenancy Deposit Schemes (Scotland) Regulations 2011 (the regulations) make provision about tenancy deposit schemes for the purposes of sections 120 to 122 of the Housing (Scotland) Act 2006. Such schemes are required to be approved by the Scottish Ministers and will safeguard tenancy deposits. The Regulations set conditions which schemes must meet before they will be approved and establish the regulatory framework for such schemes.

The review of the schemes will explore what aspects of the legislation and administration have been successful and reflect on what works well, and not so well.

Report structure

The first part of the report concerns feedback gained from the schemes themselves. The second part of the report details findings from the tenant and landlord surveys.

Feedback from the tenancy deposit schemes

Methodology

A written questionnaire was issued to all three schemes via email by the Scottish Government. Schemes were informed that Scottish Government officials were available for consultation via telephone if required. Schemes submitted their written responses by email after a four-week period.

Key Findings:

These findings reflect the summary views of the three tenancy deposit schemes. In parts, the findings may reflect the views of one or two of the schemes rather than a consensus. Some of the feedback given about efficiencies experienced at operational level may give commercial advantage and therefore has not been disclosed.

General Reflections:

The operation of the tenancy deposit service required more direct support with tenants and landlords than originally anticipated throughout most stages of the service from original deposit to final repayment.

There is evidence that early education and support provided by schemes is improving performance.

All schemes reported the impact of low interest rates compared to their original business plans. In particular, five-year rates offered now are lower than those achieved in 2013/14. This will have an effect on account surpluses in the future if the rates do not increase, as schemes are not allowed to charge fees to tenants or landlords and so interest from deposits is their only source of income in Scotland.

Reduction of Unclaimed Deposits

The schemes were asked about unclaimed deposits and actions that could mitigate this issue. Unclaimed deposits occur where a tenant could claim all or some of their deposit money back at the end of the tenancy but does not. These deposits continue to be protected by the schemes and the Scottish Government is exploring how best to deal with this issue.

The majority belong to students, in particular, overseas students who regularly return home without claiming their money back from the schemes. In addition, some of the larger unclaimed deposits relate to tenancies taken out by companies on behalf of their employees.

When asked about actions taken to return deposits, all schemes reported that they continue to chase tenants at the end of their tenancy to return deposits but this becomes more difficult where contact information is no longer valid, for example, university email addresses.

All schemes agreed in principle with the Scottish Government's proposal to explore the reinvestment of unclaimed deposits after a five-year expiry period with no

current risk to business viability. Reinvestment and impact on business would be kept under review as part of general business risk management.

Governance review follow up

In early 2017, an initial governance review was conducted with the three schemes. Four of the specific issues that emerged from that review were also covered in this piece of work, and the findings for each are shown below:

Bank Charges

Bank charges for overseas payments often exceed the interest that has been earned on the deposit. Schemes in England & Wales and Northern Ireland are permitted to charge for this service but those in Scotland are not.

System Efficiency and Automation

The delay in receiving the funds relating to tenancy deposit protection transfers from one scheme to another is an issue. There is a model used in England & Wales, which includes timescales and the sharing of information which the schemes in Scotland would like to adopt. However, low interest rates stifle income and this may restrict system investments, innovation and improvements.

Review process for dispute resolution decisions

There is opportunity to streamline process across the schemes including the use of common templates to help landlords fulfil their duty to provide the required information to their tenants.

A further suggestion offered was that the application of the Dispute Resolution Scheme could be reviewed to ensure consistency across the three schemes.

Key Performance Indicators

Schemes reported that the key performance indicator requirements continue to be fit for purpose. However there were minor requests for changes including moving the deadline for the audited accounts to be slightly later in the financial year.

Composition of Boards

None of the boards were established to represent the voice of tenants. However, the views of tenants and landlords are captured through landlord forums, Shelter Scotland and by independent scheme customer satisfaction surveys.

It is noted that the scheme administrators have little influence on board membership but only one scheme declared a current female board member. Board membership is dependent on company partnership arrangements and/or existing governance arrangements within parent companies. The specific arrangements are detailed below.

MyDeposits Scotland

My Deposit Scotland is the trading name of Tenancy Deposit (Scotland) Limited which is a wholly owned subsidiary of Tenancy Deposit Solutions Limited.

The company is jointly owned by the National Landlords Association and HFIS plc T/A Hamilton Fraser Insurance (the scheme Administrator).

Whilst the Scottish Scheme has directors, these directors are the same as Tenancy Deposit Solutions Limited and governance of all the tenancy deposit scheme is undertaken at this level. Two board directors are drawn from each partner organisation. HFIS PLC has no affiliation to any landlord, agent or tenant organisation. There is limited opportunity to influence board membership.

The main Board of Tenancy Deposit Solutions Limited allows for a refresh of the directors once every five years, or if a director leaves the employment of either of the two organisations.

Letting Protection Service Scotland

Letting Protection Service Scotland is a business unit within Computershare Investor Services plc (CIS PLC) a subsidiary of its ultimate parent company, Computershare Limited (ASX:CPU). There is no board that relates directly to Letting Protection Service Scotland. A managing director responsible for the long term prosperity of the tenancy deposit scheme reports back to the Computershare board members.

Board membership is not applicable to the Letting Protection Service Scotland.

Similarly, reviewing/appointing board membership is not applicable to the Letting Protection Service Scotland.

Safe Deposits Scotland

Safe Deposits Scotland's board directors are appointed by each of the four members of the company: The Scottish Association of Landlords, the Royal Institution of Chartered Surveyors; The Dispute Service Limited and Propertymark ARLA. The articles currently do not allow for additional directors. The Chair is appointed by the Board and is an independent director.

The Board of Safe Deposit Scotland evaluates itself on an annual basis and regularly reviews the skillset of directors against the business need. This process has not yet evidenced a need for change.

Equalities

All three schemes have equality policies in place. There is a clear investment to promote equality and eliminate discrimination across all schemes which is mainly developed at corporate level to ensure consistent local delivery across the companies.

Regulations

There is a broad consensus that the 2011 Tenancy Deposit Scheme regulations continue to provide a robust regulatory framework for the protection of tenants' deposits and the conditions for the operation of the schemes.

There are some potential discrepancies highlighted by the schemes across the regulations, emerging practice, and the new private residential tenancy. There are also a few areas where clarification and expansion in the regulations may help with operational delivery.

Schemes reported that the dispute resolution mechanism may benefit from a more consistent and transparent approach across the schemes.

Finally, the duty to provide information to local authorities about landlord registration is resource intensive and schemes are unsure if the information is helpful to local authorities.

Surveys of tenants and landlords

Methodology

Both the tenant and landlord surveys were administered online, using Survey Monkey and Questback respectively. In both cases, the tenancy deposit schemes sent out invitation emails to tenants and landlords, which contained a link to access the survey. The tenant survey was also advertised through various tenant networks to encourage response from particular groups, and prize draw to win one of five £50 vouchers was offered. The landlord survey was sent only to landlords that deal with the schemes themselves, and not to letting agents who may represent landlords.

Questionnaire design

The tenant survey was designed in conjunction with Craigforth and administered first. Fieldwork ran from 1st March to 13th April 2018. The questionnaire asked tenants three types of questions;

- General questions about themselves, their household and their knowledge and awareness
- Questions that related to their current tenancy
- Questions that related to a tenancy that had ended in the last three years (if applicable)

Upon completion of fieldwork, the tenant questionnaire was reviewed and used as a base for the landlord questionnaire. Landlords were also asked three categories of questions as shown above, and fieldwork ran from 7th May to 18th June 2018. The full questionnaires are included in Annex C.

Sampling, response rates and weighting

The surveys were sent out to every tenant and landlord who had, at the time of the survey, a deposit lodged with one of the tenancy deposit schemes, and thus no sample selection was required. The survey was sent to 232,411 tenants, and achieved 7969 completed interviews – a response rate of 3.4%. The landlord survey was sent to approximately 42,598 landlords and achieved 1087 completed interviews – a response rate of 2.5%.

The results of the tenant survey were weighted to be representative of household type and geographical spread, please see Annex A for more information. The landlord survey results have not been weighted, due to a lack of suitable population data.

Limitations of the surveys

The methodology was chosen as the most cost effective way to access tenants and landlords and to achieve a sufficient number of responses for both tenants and landlords. However, this methodology does mean there are limitations for the results of the research.

Sampling

As the surveys were issued through the deposit schemes themselves, we cannot use the results to assess the extent to which deposits are not protected. Although the tenant survey was promoted through other channels, such as tenant group organisations, the vast majority of responses were received via the schemes. The landlord survey was not promoted through other channels.

The landlord survey was sent only to landlords registered with the schemes, and not to letting agents who may represent landlords. This therefore means the results only capture the views of landlords who deal directly with the schemes.

Representativeness

Due to the low response rates achieved, there is likely to be significant non-response bias in the results from both surveys. This is especially true for the landlord survey, where no weighting has been applied.

Whilst weighting has been applied to the tenant survey, it only accounts for two characteristics – geography and household type. It is highly unlikely that this would fully account for the non-response bias potentially caused by the low response rate.

Given these concerns, the findings from both surveys are indicative only, in that they cannot be generalised to the wider population and should be treated with caution. Throughout the remainder of the report, where we refer to ‘tenants’ and ‘landlords’ we mean only the ones surveyed, and are not referring to the wider population.

Subgroup differences

Normal statistical significance testing cannot be applied to the results, as the response rates are too low. To highlight differences between subgroups, we have instead chosen a reporting threshold for each of the surveys. Differences between subgroups in the tenant survey are reported on if the difference is 3% or higher, whilst for the landlords (to account for the smaller sample size) a threshold of 5% has been used. These thresholds have been chosen to give a guideline for what is included in the report, and do not represent statistical significance.

Tenant subgroups

Some tenant subgroups were derived from responses given in the survey. Tenants were asked how many children and adults (under and over 65) were in their household, and from that categorised into one of five household types. Tenants were also asked for their postcode, and from that we have determined whether their location is urban, small town or rural.

Other tenant subgroups were determined from direct responses to the survey, such as whether they used a letting agent or not, when the tenancy began and when the tenancy ended.

The tenant subgroups are based on current or previous tenancy. When analysing questions that related to the current tenancy, we used the following subgroups

- Current household type – Older / Small adult / Single adult / Large adult / Family

- Location of current tenancy – Urban / Small town / Rural
- When current tenancy started - 2017 onwards / 2016 or earlier
- Whether a letting agent was used for the current tenancy – Used an agent(Yes) / Did not use an agent (No)

For questions which related to a previous tenancy (if the tenant had had one), the following subgroups were used for analysis

- Current household type – as above
- When previous tenancy ended - 2017 onwards / 2016 or earlier
- Whether a letting agent was used for the previous tenancy – Used an agent(Yes) / Did not use an agent (No)

Landlord subgroups

All landlord subgroups were determined from their direct survey responses. Notably, rather than derive location from postcodes, landlords were asked whether their rental property (or the majority of their rental properties) were in rural, small town or urban areas.

The landlord subgroups are based on characteristics of the landlords themselves or their properties, and so the same subgroups were used to analyse all questions in the survey. The landlord subgroups used were

- Number of properties – One / More than one
- Whether landlord intended to become a landlord – Intentional(Yes) / Unintentional(No)
- When landlord first became a landlord – Longer-term landlords (2012 or earlier) / Newer landlords (2013 onwards)
- Location of majority of rental properties – Urban / Small town / Rural

Further details about subgroup definitions and sizes can be found in Annex B.

Attitudes towards the tenancy deposit schemes in Scotland

Purpose of tenancy deposit schemes and how they work – tenants and landlords

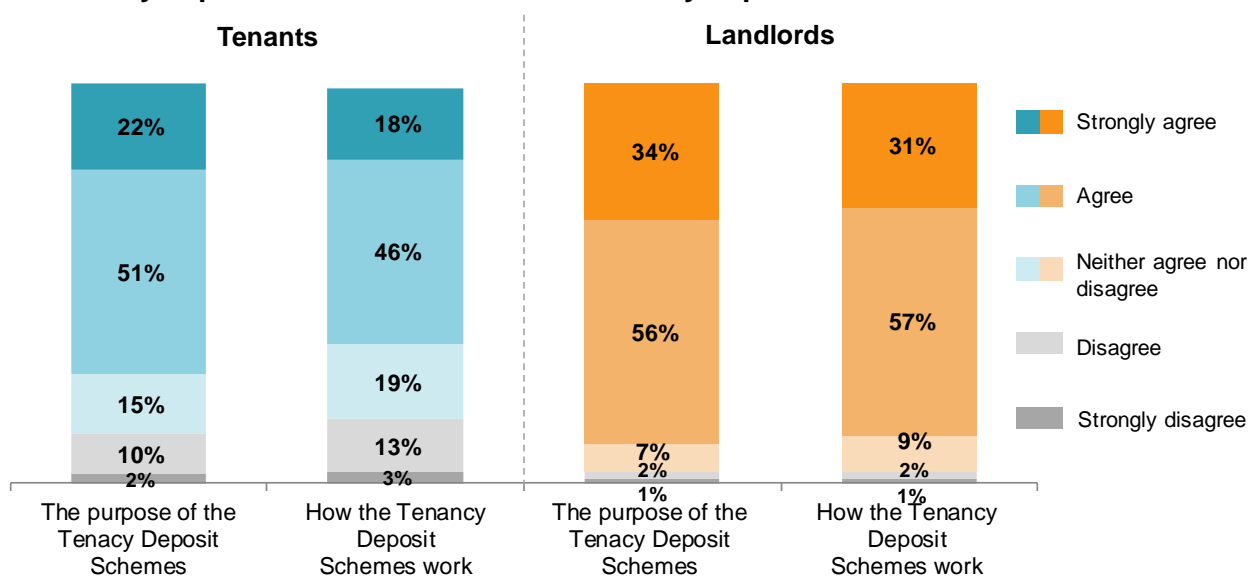
Tenants and landlords were asked the extent to which they agreed with the following statements:

- I know enough about the purpose of the tenancy deposit schemes
- I know enough about how the tenancy deposit schemes work

As shown in Figure 1, the majority of tenants (73%) agreed overall that they knew enough about the purpose of the tenancy deposit schemes in Scotland. A smaller proportion, although still the majority (65%), agreed overall that they knew enough about how the tenancy deposit schemes work.

The vast majority of landlords agreed that they knew enough about both the purpose of the tenancy deposit schemes and how they worked. The landlords surveyed were more likely than the tenants to agree with these statements (see Figure 1).

Figure 1: Whether tenants and landlords agree that they know enough about the purpose of the tenancy deposit schemes and how the tenancy deposit schemes work



Base: all tenants (7969) all landlords (1087)

Tenant subgroup differences

Older households were the most likely household type to agree that they knew enough about the *purpose of the tenancy deposit schemes* (83%), whilst large adult households were the least likely type to agree with this statement (63%)². Similarly, older households were also the most likely to agree that they knew enough about *how the tenancy deposit schemes work* (79%) and again large adult households were least likely to agree (56%)³.

² Small adult and family, both 75% and single adult 74%.

³ Small adult 66%, family 69% and single adult 65%.

Tenants in small town and rural areas were more likely than those in urban areas to agree that they knew enough about the *purpose of the tenancy deposit schemes* (both 79%, compared with 74%). Tenants in urban areas were also more likely to disagree with this statement (13%, compared with 7% for both rural and small town areas). Similarly, tenants in small town and rural areas were more likely to agree that they knew enough about *how the tenancy deposit schemes work* (73% and 71% respectively, compared with 66% of those in urban areas). Tenants in urban areas were more likely to disagree with this statement (17%, compared to 9% for both small town and rural areas).

Tenants who did not rent through a letting agent were more likely to agree that they *know enough about how the tenancy deposit schemes work* (68%, compared with 65% of those who did rent through a letting agent).

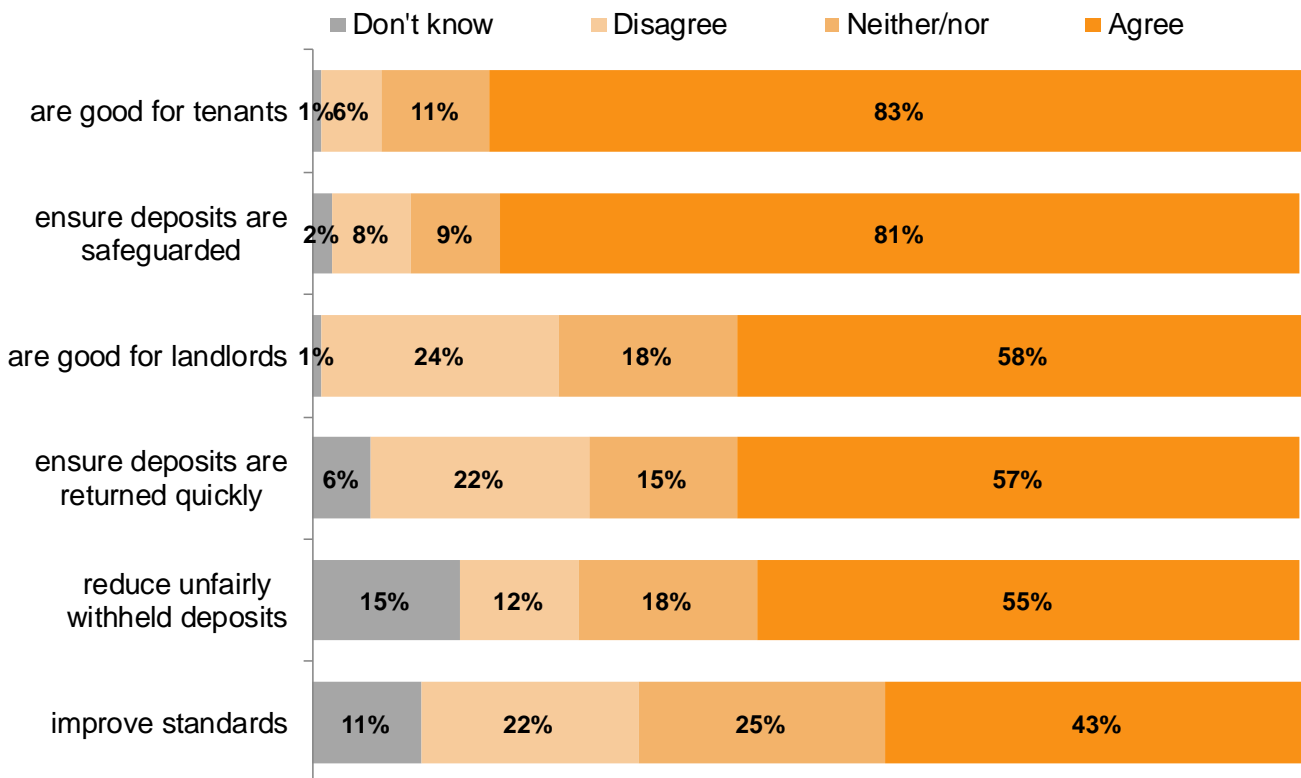
Landlord subgroup differences

Longer-term landlords were also more likely than newer landlords to agree that they 'know enough about how the schemes work' (91%, compared with 85%)

Perceptions of the tenancy deposit scheme regulations - landlords

Landlords were also asked whether they agreed with a number of other statements about the tenancy deposit scheme regulations. As shown in Figure 2, the vast majority of landlords agreed that the tenancy deposit scheme regulations ‘are good for tenants’ and ‘ensure that deposits are safeguarded’. More than half of landlords agreed that the regulations ‘are good for landlords’, ‘ensure deposits are returned quickly’ and ‘reduce the number of unfairly held deposits’. A substantial minority of landlords did not know whether the regulations ‘reduce unfairly withheld deposits’ or ‘improve standards’.

Figure 2. Whether landlords agree that the tenancy deposit scheme regulations...



Base: all landlords (1087)

Landlord subgroup differences

There were a number of differences in attitude across different subgroups of landlords. In general those who were longer-term landlords were less positive about the regulations than newer landlords, as were landlords with more than one rental property (compared to those with more than one).

Landlords with just one rental property were more likely (than landlords with multiple properties) to **agree** that the regulations:

- are good for landlords (62%, compared with 54%)
- ensure deposits are safeguarded (83%, compared with 78%)

Whereas landlords with more than one rental property were more likely (than landlords with just one rental property) to **disagree** that the regulations:

- are good for landlords (27%, compared with 21%).
- improve standards (26%, compared with 17%)
- ensure deposits are returned quickly and fairly (25%, compared with 19%).

Newer landlords were more likely (than longer-term landlords) to **agree** that the regulations:

- are good for landlords (67%, compared with 51%)
- reduce unfairly held deposits (63%, compared with 50%)
- ensure deposits are safeguarded (87%, compared with 76%)
- ensure deposits are returned quickly and fairly (65%, compared with 52%).

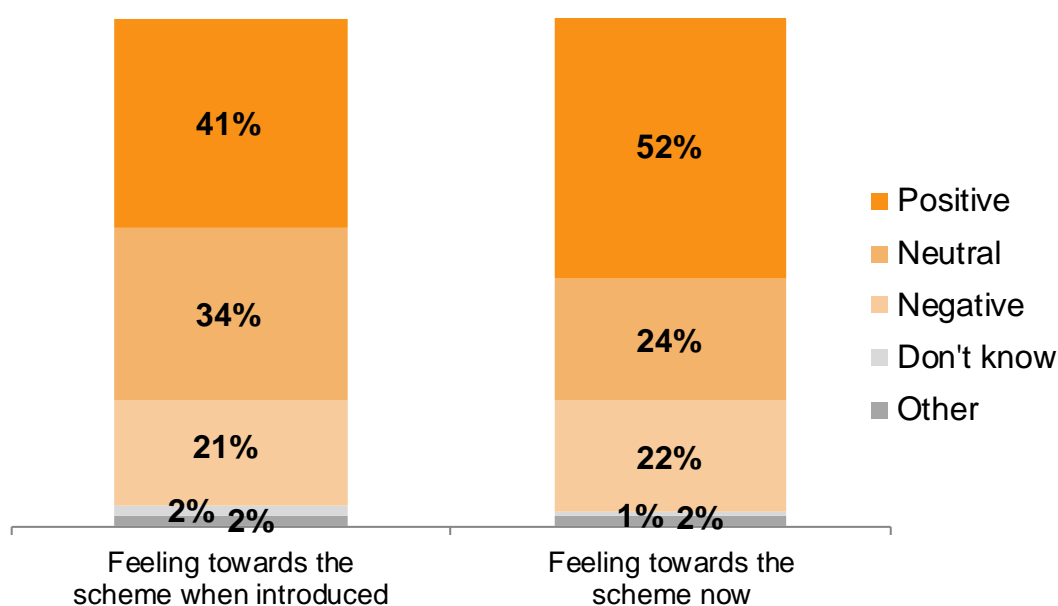
Whereas longer-term landlords were more likely (than newer landlords) to **disagree** that the regulations:

- are good for landlords (30%, compared with 14%)
- are good for tenants (8%, compared with 2%)
- reduce unfairly held deposits (15%, compared with 7%)
- ensure deposits are safeguarded (11%, compared with 5%)
- ensure deposits are returned quickly and fairly (27%, compared with 15%).

Opinions of the tenancy deposit schemes - landlords

Those who had been landlords since before 2014 or earlier were asked whether they had a positive, neutral or negative opinion of tenancy deposit schemes when they were introduced in July 2012. All landlords were then asked again whether they had a positive, neutral or negative opinion of tenancy deposit schemes now (in 2018). As shown in Figure 3, 41% of those who became a landlord before 2014 recalled feeling positive about the tenancy deposit scheme when it was introduced. Around a third (34%) felt neutral and 21% felt negative. Figure 3 also shows how those who became a landlord before 2014 felt about the tenancy deposit schemes now. Just over half now felt positive and a quarter felt neutral. However, a similar proportion still felt negative.

Figure 3. How those who had been landlords since before 2014 felt about the tenancy deposit schemes upon introduction (2012) and now (2018)



Base: those who became a landlord before 2014 (799)

When all landlords are included, 55% felt positive towards the tenancy deposit scheme now, whilst 24% felt neutral and 19% felt negative.

Landlord subgroup differences

Unintentional landlords were more likely than intentional landlords to have had a positive view of the tenancy deposit schemes when they were introduced (47%, compared with 38%). However, they appeared less likely than intentional landlords to have a positive opinion of the tenancy deposit scheme in 2018 (52%, compared with 58%). Similarly, intentional landlords appeared to have experienced a greater change in opinion between 2012 and 2018, with a 20 percentage point increase in those who felt 'positive' compared with 5 percentage points for unintentional landlords.

Newer landlords were more likely to have a positive view of the tenancy deposit schemes when they were introduced and in 2018 (49% and 64%), compared with longer-term landlords (39% and 50%). Newer landlords were also less likely to

have a negative view (9%, compared with 24% in 2012 and 11%, compared with 23% in 2018). Both newer and older landlords appeared to have experienced a change in opinion between 2012 and 2018, with a 15 and 11 percentage point increase in those who felt 'positive' respectively.

Unclaimed deposits - tenants

Tenants and landlords were both asked questions on the topic of unclaimed deposits, however specific questions asked to tenants and landlords differed. Unclaimed deposits occur where a tenant could claim all or some of their deposit money back at the end of the tenancy but does not. These deposits continue to be protected by the schemes and the Scottish Government is exploring how best to deal with this issue.

Tenants were asked whether they, or anyone they knew, had ended a tenancy in the last 5 years without reclaiming the deposit. The vast majority of tenants (85%) had not experienced this themselves and did not know someone who had.

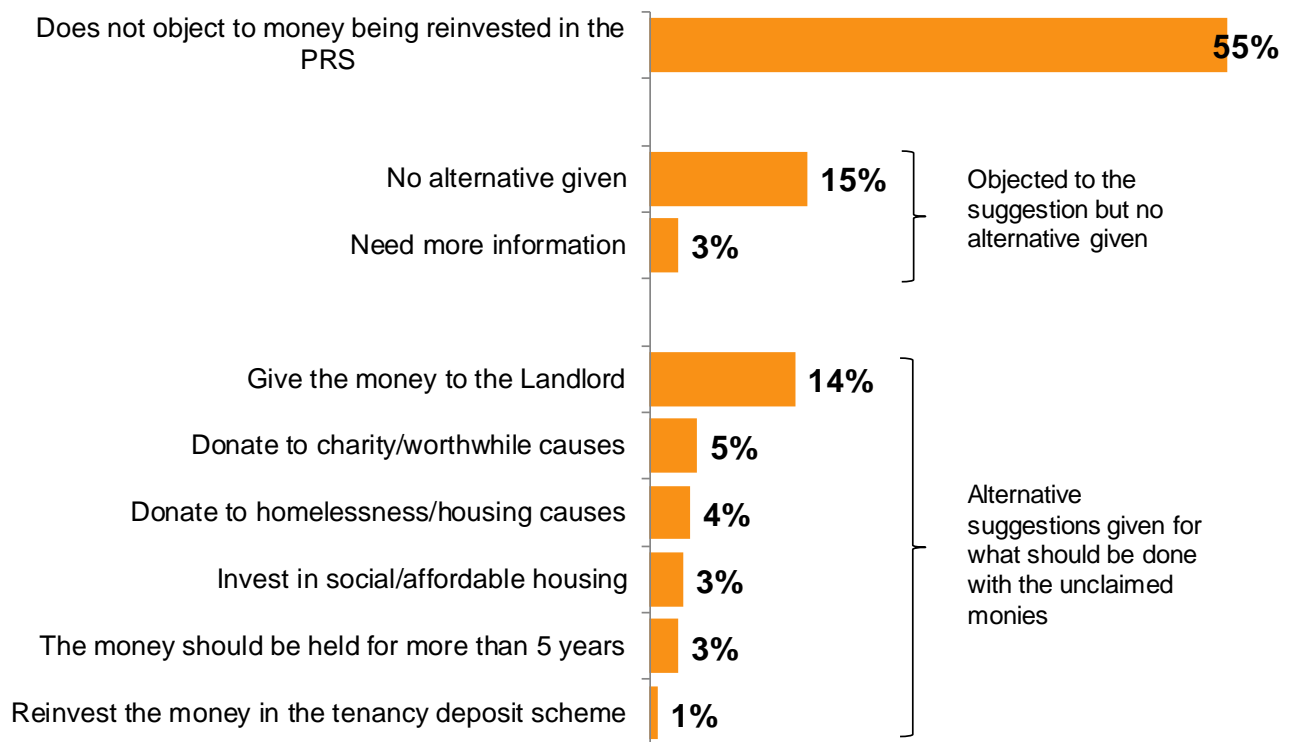
Older households were more likely to have not experienced this or know someone who had (93%, compared to 84-85% of other household types)

Unclaimed deposits - landlords

Landlords were asked whether they were aware of any reasons why tenants, or particular groups of tenants, might not claim back their deposit, and what those reasons might be. The majority of landlords (79%) did not know of a reason tenants might not claim their deposit back.

Landlords were then asked whether they would object to unclaimed deposits being reinvested in the private rented sector in Scotland after 5 years. Just over half would not object to the money being used in this way, whilst a small proportion were unsure what 'reinvested in the private rented sector' would mean in practice and wanted further information (see Figure 4). Some landlords objected to the money being used in the suggested way, but did not give an alternative suggestion for its destination. Perhaps unsurprisingly, the most popular suggestion was to give the unclaimed money to the landlord of the property. However, other suggestions tended to be around using the money to benefit others, such as homelessness or housing charities, other charitable or worthwhile causes and social or affordable housing. A small minority did not think that the 5 year period was long enough, and 1% wanted to reinvest the money in the tenancy deposit scheme system.

Figure 4. Whether landlords object to the unclaimed monies being reinvested in the PRS, and alternative suggestions given



Base: all landlords (1087)

Landlord subgroup differences

Unintentional landlords were more likely to object to the money being reinvested in the private rented sector (52%, compared with 44% of intentional landlords).

Current tenancies – taking and protecting deposits

Taking a deposit – tenants and landlords

All tenants were asked whether they had paid a deposit at the beginning of their current tenancy to either their landlord or letting agent. Almost all tenants in the survey reported that they had paid a deposit⁴. The majority (68%) paid a deposit to their letting agent, whilst a further 29% paid a deposit to their landlord directly.

All landlords who currently had tenants in one or more of their rental properties were asked whether they had taken a deposit⁵. Those who had not taken a deposit were then asked why they had not done so. Finally, landlords who had not taken a deposit and had multiple rental properties were asked if they had taken a deposit for these other tenancies. However, only 31 of all landlords surveyed had not taken a deposit for their current tenancy, and so further analysis could not be conducted.

Protecting a deposit – tenants

Tenants were asked whether their deposit is protected by one of the tenancy deposit schemes and, if so, which scheme. The vast majority of tenants (91%) reported that their deposit was protected, whilst 1% did not think that their deposit was protected. The remaining 8% did not know if their deposit was protected or not.

Tenant subgroup differences

Large adult households were the most likely not to know if their deposit was protected (12%, compared with 5-9% of other household types).

Tenants in urban areas were more likely not to know if their deposit was protected (9%, compared with 5% for both small town and rural).

Protecting a deposit within 30 days - tenants

Tenants whose deposit had been protected were then asked if their deposit was protected within 30 days, with 68% reporting that it had been. Only 4% reported that their deposit had not been protected within 30 days, with 27% unable to remember.

Those whose deposit had not been protected within 30 days were asked if they had to take any action to get it protected. For the majority, 68%, no action was required. Those who did take action either asked their landlord (13%), their letting agent (13%) or someone else (3%). Just three tenants (1%) applied to the First-tier Tribunal.

⁴ 32 tenants reported that they had not paid a deposit, and a further 24 did not know if they had, accounting for less than 1% of the tenants.

⁵ Landlords with multiple tenants in multiple properties were asked to answer only about one property and to choose their most typical rental.

Tenant subgroup differences

All other household types were more likely than older households not to know if their deposit had been protected within 30 days (26%-31%, compared with 15%). Tenants who did not use a letting agent were also more likely not to know if their deposit had been protected within the timeframe given (30%, compared with 21% of those who used an agent).

Those in urban areas were more likely than those elsewhere not to know if it had been protected within this timeframe (27%, compared with 24% of small town and 19% of rural). Perhaps unsurprisingly, those whose tenancy began before 2017 were also more likely not to know whether their deposit had been protected within 30 days (31%, compared with 24% of those whose tenancy started more recently).

Protecting a deposit – landlords

Landlords were asked whether their tenants' deposit is protected by one of the tenancy deposit schemes and, if so, which scheme they chose and whether this was done within 30 days. Only nine landlords reported that they had not protected their tenants' deposit.⁶ Of those who had protected the deposit, almost all (96%) reported that they had done so within 30 working days.

Scheme - tenants

Nearly half of the tenants surveyed (48%) said their deposit was with SafeDeposits, whilst 20% and 9% said their deposits were with MyDeposits Scotland and Letting Protection Service Scotland respectively. Notably, of those tenants whose deposit had been protected, nearly a quarter (24%) did not know with which scheme.

Older households were the most likely not to know which scheme their deposit was protected with, especially compared with small and large adult households (30%, compared with 22% and 23% respectively). Those whose tenancy began before 2017 were also more likely not to know who their deposit was protected with (28%, compared with 21% of those whose tenancy started more recently).

Choice of scheme - landlords

Landlords were then asked how they chose which scheme to use and why. Over half (55%) had chosen SafeDeposits, 31% were with MyDeposits and 13% with Letting Protection Services Scotland. Only 2% did not know which scheme they were with.

As shown in Figure 5, the most common reason landlords gave for choosing their current scheme was having used it before and were left satisfied. Other popular motivations included 'letting agent suggestion', 'scheme's marketing/promotional materials' and 'where the scheme is based'.

⁶ From those, 4 landlords had not protected the deposit, while 5 did not know.

Figure 5. Reasons for landlords' choice of tenancy deposit scheme



Base: landlords who had protected their tenants deposit (970)

Landlord subgroup differences

There were some differences in reasons for choosing a scheme by different landlord subgroups.

Landlords with one property were less likely to choose because they have 'used them before and been happy with them' (36%, compared with 42% of landlords with more than one property).

Landlords with properties in small towns were more likely to choose a scheme based on 'letting agent suggestion' (21%, compared with 14% of both rural and urban landlords).

Newer landlords were **more likely** than longer-term landlords to choose a scheme for the following reasons:

- letting agent suggestion 20%, compared with 14%
- family/friend suggestion 13%, compared with 5%
- because of scheme's reputation 10%, compared with 6%

Newer landlords were **less likely** than longer-term landlords to choose a scheme because they had used it before and were happy (33%, compared with 43%).

Unprotected deposits – tenants

Tenants whose deposits were not protected were asked what actions, if any, they had taken as a result. Only 68 tenants reported that their deposit was not protected, and so further analysis cannot be completed.

However, tenants were also asked whether they had had a tenancy in the last 5 years where the deposit had been unprotected, including their current tenancy. Nearly a fifth (19%) of tenants had experienced this, with another 9% unable to recall.

Tenant subgroup differences

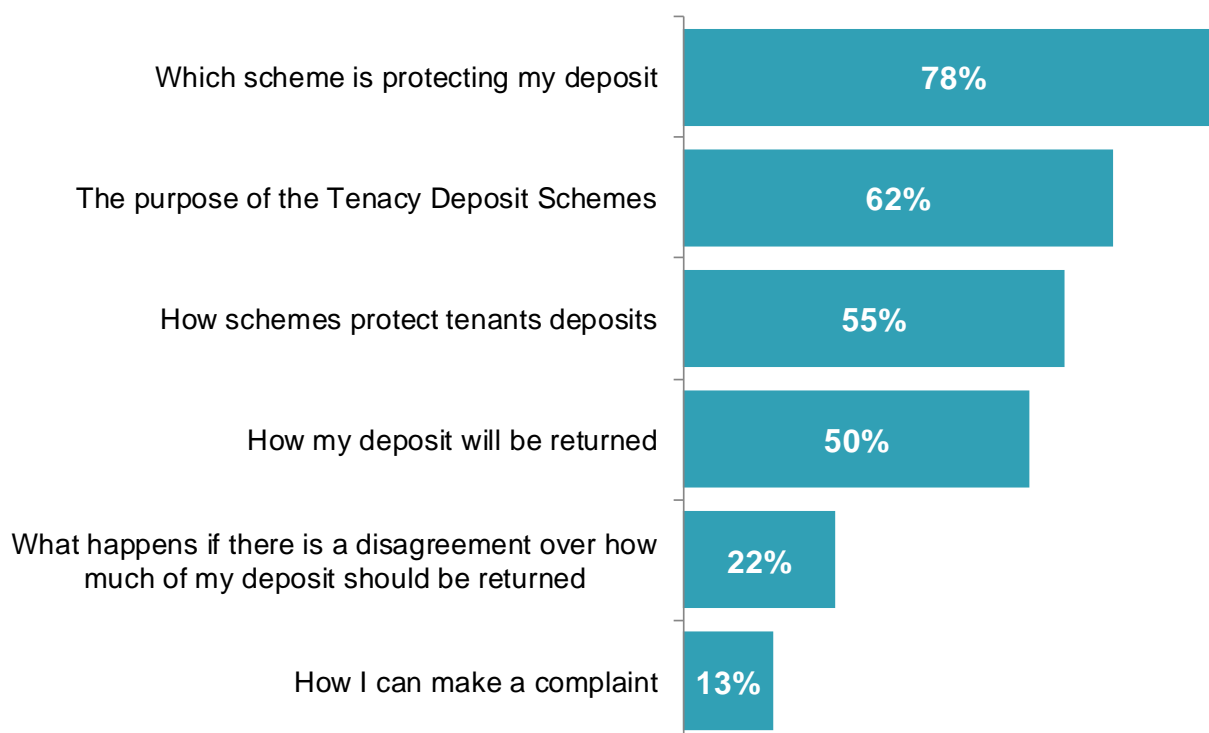
Family households were the most likely to have had a tenancy in the last 5 years where the deposit was unprotected (22%), especially compared to single adult (18%), large adult (16%) and older (15%) households.

Information, complaints and contact

Whether and what types of information about schemes received - tenants

As shown in Figure 6, tenants were most likely to have received information about which scheme is protecting their deposit, followed by the purpose of the tenancy deposit schemes. A much smaller proportion had received information about what happens if there is a disagreement over how much of their deposit should be returned, or how to make a complaint.

Figure 6 Information tenants had received about the tenancy deposit scheme



Base: tenants whose deposit was protected (7793)

Tenant subgroup differences

Older households were more likely to have received information about how tenancy deposit schemes protect tenant's deposits (72%, compared with 51-55% of other household types) and how to make a complaint (26%, compared with 10-14% of other household types).

Tenants who rented through a letting agent were more likely to have received information about the purpose of tenancy deposit schemes (64%, compared with 57% of those who did not use a letting agent).

Those whose tenancy began in 2017 or later were more likely (than those whose tenancy began earlier) to recall having received information about:

- which scheme is protecting the deposit (82%, compared with 73%)
- how the deposit will be returned at the end of the tenancy (53%, compared with 46%)

- what happens if there is a disagreement over how much of the deposit should be returned at the end of the tenancy (25%, compared with 17%).

How information was received - tenants

Tenants were also asked how they received information about the tenancy deposit scheme and could choose more than one answer.

Tenants were most likely to receive information from their letting agent (52%) or directly from the scheme (49%). Just over a fifth (21%) had received information from their landlord and 9% had found information for themselves on the scheme's website.

Tenant subgroup differences

All other household types were more likely to have accessed the schemes website to receive information than older households (8-11%, compared with 3%).

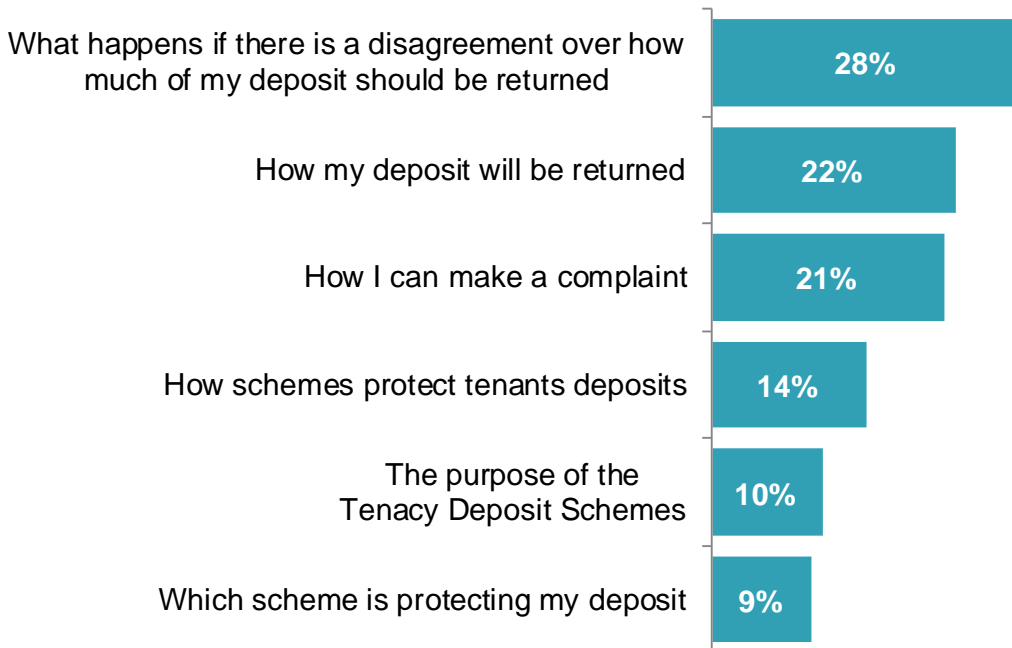
Rural tenants were more likely to have received information from their landlord (28%, compared with 19% of urban and 17% of small town tenants), whereas urban tenants were more likely to have received information from their letting agent (56%, compared with 50% of small town and 39% of rural tenants).

Those whose tenancy began in 2017 or later were more likely to have received information from their letting agent (54%, compared with 50% of those whose tenancy began earlier).

Further information needed - tenants

Tenants were also asked what information they would like to receive. Although 61% did not need further information, those that did were most likely to want information about 'what happens if there is a disagreement over how much of the deposit should be returned', followed by 'how my deposit will be returned' and 'how I can make a complaint' (see Figure 7).

Figure 7. What information types tenants have not received information about but want to



Base: tenants who had received information from the scheme (5957)

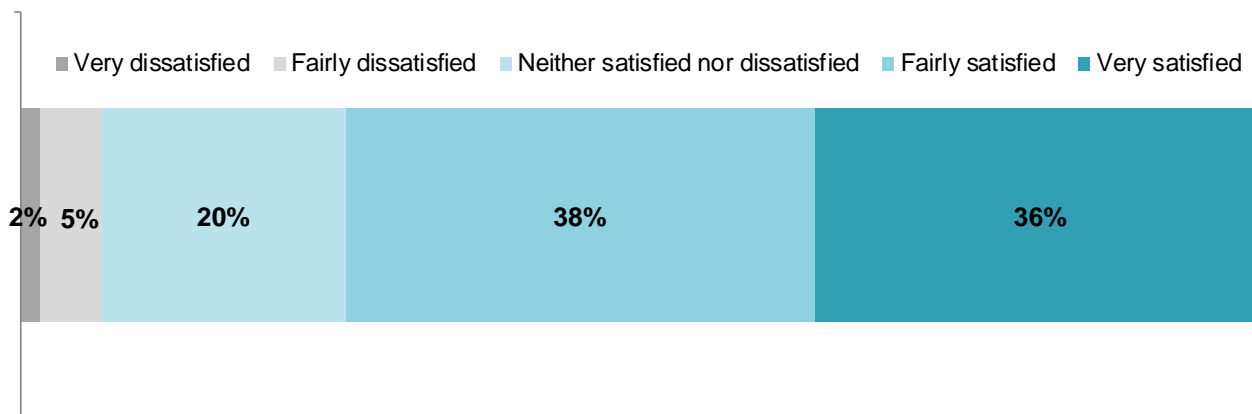
Tenant subgroup differences

Older households were more likely than other household types to not require any further information about tenancy deposit schemes (72%, compared with 52-63%).

Satisfaction with information received - tenants

Tenants were asked how satisfied they were with the amount of information they received. The majority were satisfied with the information they had received, with 36% 'very satisfied' and 38% 'fairly satisfied'. Only a small proportion were dissatisfied overall with the amount of information received.

Figure 8 Satisfaction with amount of information received about the scheme



Base: tenants who had received information from the scheme (6425)

Tenant subgroup differences

Older households were more likely to be satisfied with the amount of information they received (84%, compared with 67-75% of other household types). Those that did not use a letting agent were also more likely to be satisfied with the amount of information they received (76%, compared with 73%). Tenants in small towns were more likely to be satisfied with the amount of information received, especially compared with those in urban areas (81%, compared with 74%)⁷. Finally, those whose tenancies began in 2017 or later were also more likely to be satisfied than those whose tenancies began earlier (77%, compared with 71%).

Complaints – tenants and landlords

Tenants and landlords were asked whether they had complained about the scheme and who they had complained to.

Only 67 tenants (1%) and 34 landlords (4%) had made a complaint about their current tenancy deposit scheme. This means further analysis is not possible.

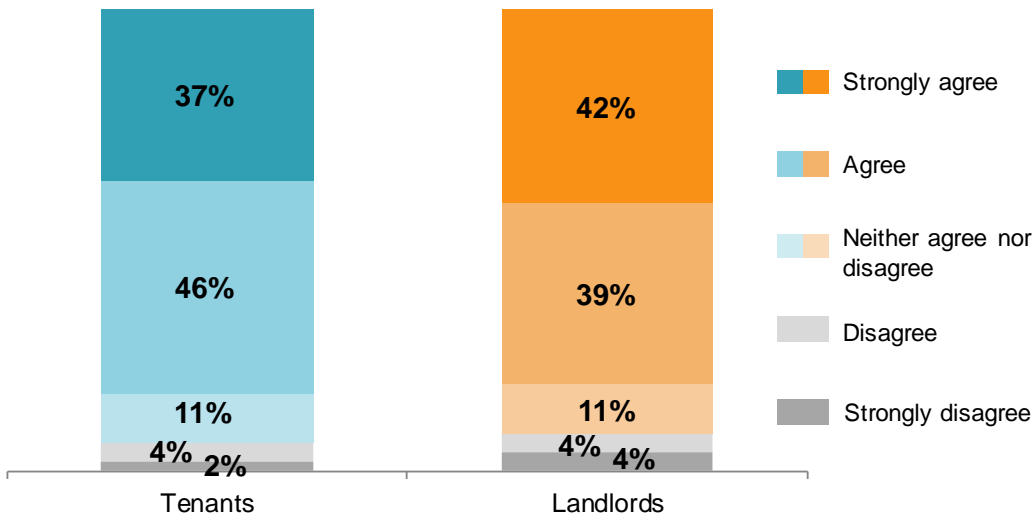
⁷ The corresponding figure for rural tenants was 78%.

Contact – tenants and landlords

Tenants and landlords were asked whether they had contacted the tenancy deposit scheme (other than to complain), and 261 tenants (4%) and 189 landlords (20%) had done so.

As shown in Figure 9, the majority of both tenants and landlords who had contacted the schemes agreed that it had been easy to do so. Landlords were slightly more likely to ‘strongly agree’ with this than tenants.

Figure 9. Whether tenants and landlords agree that it was easy to contact the scheme



Base: tenants who had contacted the scheme (255) landlords who had contacted the scheme (189)

The most common reason for tenants contacting the scheme was to find out how to claim back their deposit (52%). Tenants also contacted the scheme to check their deposit was protected (31%) and to find out how to log in to their account (28%). Tenants also contacted the scheme to find out how to dispute an offer (18%), to get information on how the scheme works (17%) and to find out how to complain (3%).

For landlords, the most common reasons for contacting the scheme were ‘to get information on how the scheme worked (27%), to find out how to make deductions from the deposit (25%). Landlords also contacted the scheme to find out how to log in to their account (15%), to check that the tenant’s deposit was protected (12%) and to find out how to dispute an offer (11%).

Performance of the schemes during the tenancy (current tenancies)

Satisfaction with scheme - landlords

Landlords were also asked how satisfied they were with their current scheme. The majority were satisfied with their current scheme, with 43% 'very satisfied'. A minority (10%) were dissatisfied with the scheme.

Landlord subgroup differences

Landlords with more than one property were more likely to be dissatisfied with their chosen tenancy deposit scheme (13%, compared with 7% of those with only one property).

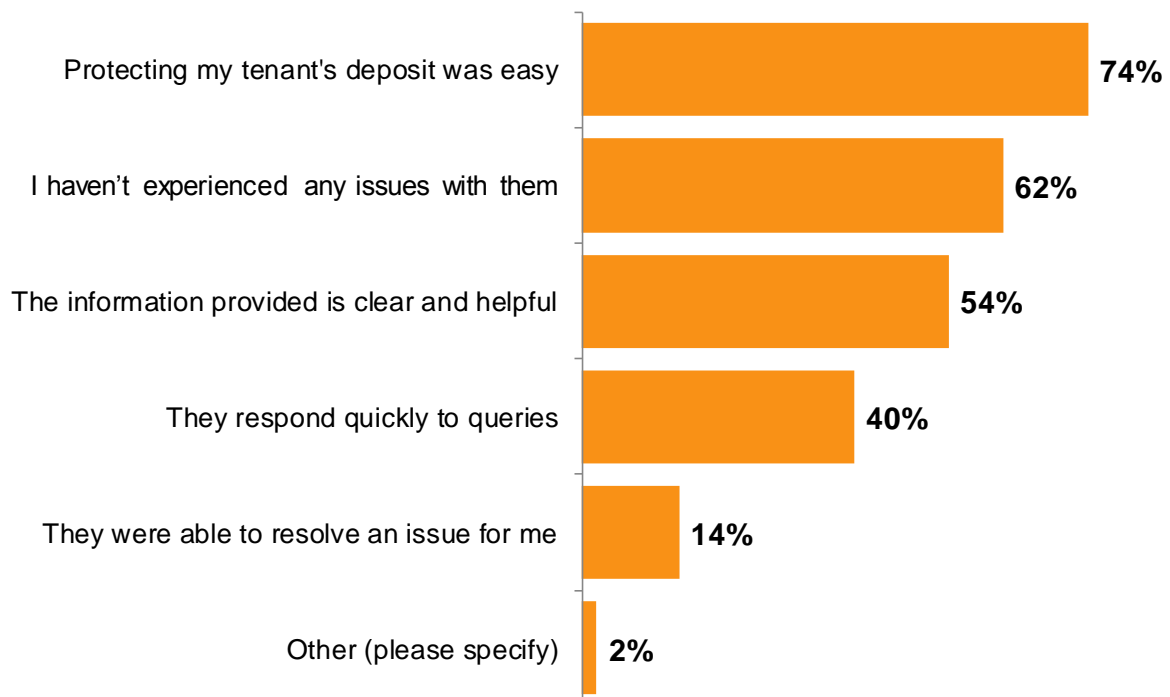
Intentional landlords were more likely to be satisfied with their chosen scheme (71%, compared with 65% of unintentional landlords).

Longer-term landlords were more likely to be dissatisfied with their chosen scheme (12%, compared with 7% of newer landlords).

Reasons for satisfaction with scheme - landlords

Landlords who were satisfied and dissatisfied were asked why. As shown in Figure 10, those who were satisfied most commonly said it was because protecting their tenants deposit had been easy, and because they have not experienced any issues.

Figure 10. Reasons landlords were satisfied with their chosen tenancy deposit scheme



Base: landlords who were satisfied with the tenancy deposit scheme (665)

For those who were dissatisfied, 51% said it was because the scheme was unable to resolve an issue for them. A fifth (20%) were dissatisfied because it was too complicated to protect their tenants' deposit, 17% were dissatisfied because the scheme did not respond quickly enough to queries, whilst for 15% the scheme provided information that was unclear and unhelpful.

Landlord subgroup differences

Landlords with more than one rental property were more likely to be satisfied (compared with those with one property) because the scheme 'responds quickly to queries' (47%, compared with 32%) and was 'able to resolve an issue for me' (17%, compared with 11%).

Intentional landlords were more likely to be satisfied because the scheme responds quickly to queries (48%, compared with 28% of unintentional landlords).

Longer-term landlords were also more likely to be satisfied because the scheme responds quickly to queries (44%, compared with 35% of newer landlords).

Switching scheme - landlords

Landlords were asked whether they were planning to switch scheme, either during or at the end of the current tenancy. A very small minority (1%) intended to switch during this tenancy, and a further 3% planned to do so at the end of the tenancy. However, 10% (93 landlords) did not know whether they would change scheme in the future.

Confidence and trust – tenants and landlords

Tenants were asked how much they agreed or disagreed with the following statements:

- I am confident that my tenancy deposit is safe
- I trust the tenancy deposit scheme to deal with my deposit fairly and efficiently.

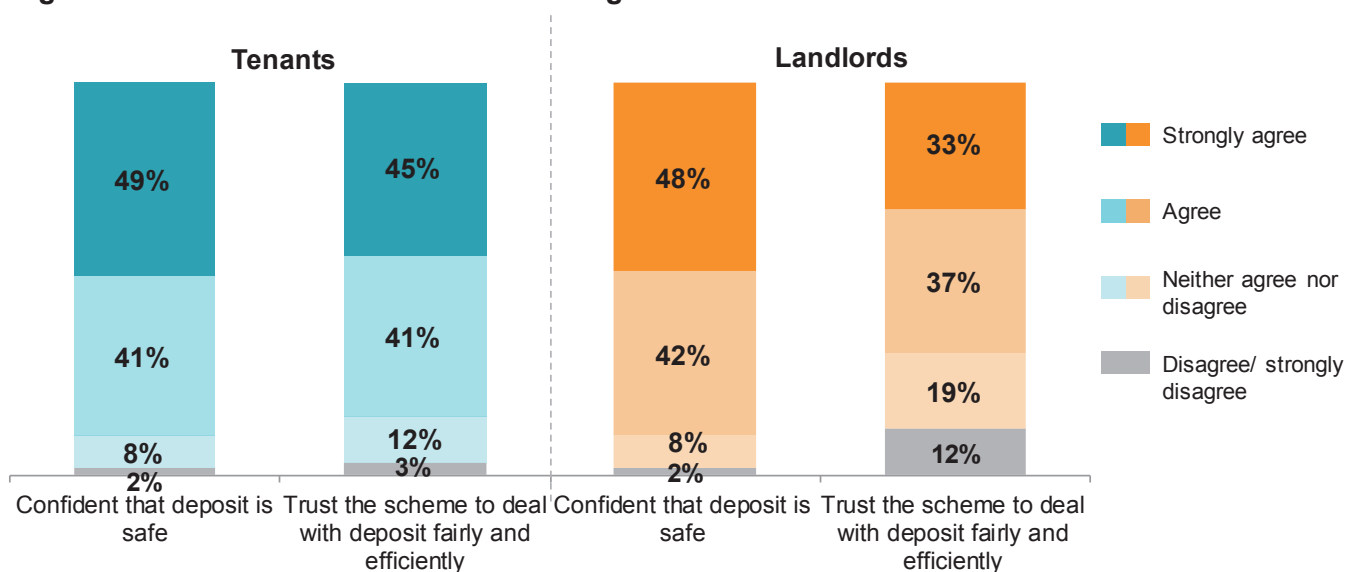
Similarly, landlords were asked how much they agreed or disagreed with similar statements:

- I am confident that my tenant's deposit is safe
- I trust the tenancy deposit scheme to deal with my tenants deposit fairly and efficiently.

As shown in Figure 11, the vast majority of tenants (90%) agreed that they felt confident that their deposit was safe. However, 10% of the tenants did not agree that they felt confident that their deposit was not safe. A similar proportion of landlords agreed that they felt confident that their tenants deposit was safe.

The majority of tenants agreed that they trusted the tenancy deposit scheme to deal with their deposit fairly and efficiently. Again, only 15% disagreed with this statement. However, landlords were less likely to agree and more likely to disagree with the corresponding statement.

Figure 11 Whether tenants and landlords agree with the statements shown



Base: tenants whose deposit is protected (7793) landlords who protected the deposit (970)

Tenant subgroup differences

Older households were the most likely to agree that they were *confident their deposit was safe* (96%), especially compared with single adult (89%), large adult (89%) and family (88%) households⁸. Older households (91%) and small adult households (89%) were also more likely than single adult (85%) or family (84%) households to agree that they *trusted the scheme to deal with their deposit fairly and efficiently*⁹.

Tenants who did not use a letting agent were more likely to agree with the first statement (*confident their deposit was safe*) than those who did not use an agent (92%, compared with 89% of those who used a letting agent). Similarly, those who did not use a letting agent were also more likely to agree with the second statement (89%, compared with 84%).

Those whose tenancy began more recently were also more likely to agree than those whose tenancy began before 2017 that they *trust the tenancy deposit scheme to deal with my deposit fairly and efficiently* – 87%, compared with 84%

Landlord subgroup differences

Intentional landlords were more likely to agree that they were confident that their deposit was safe (92%, compared with 86% of unintentional landlords). Intentional landlords were also more likely to agree that they trust the scheme to deal with their deposit fairly and efficiently (72%, compared with 66%).

Newer landlords were also more likely to agree to trust the scheme to deal with their deposit fairly and efficiently (76%, compared with 66% of longer-term landlords) and less likely to disagree (8%, compared with 14%).

⁸ The figure for small adult households is 92%, significantly higher than single adult and family households.

⁹ The figure for large adult households is 85%.

Previous tenancies - Experiences at the end of tenancy

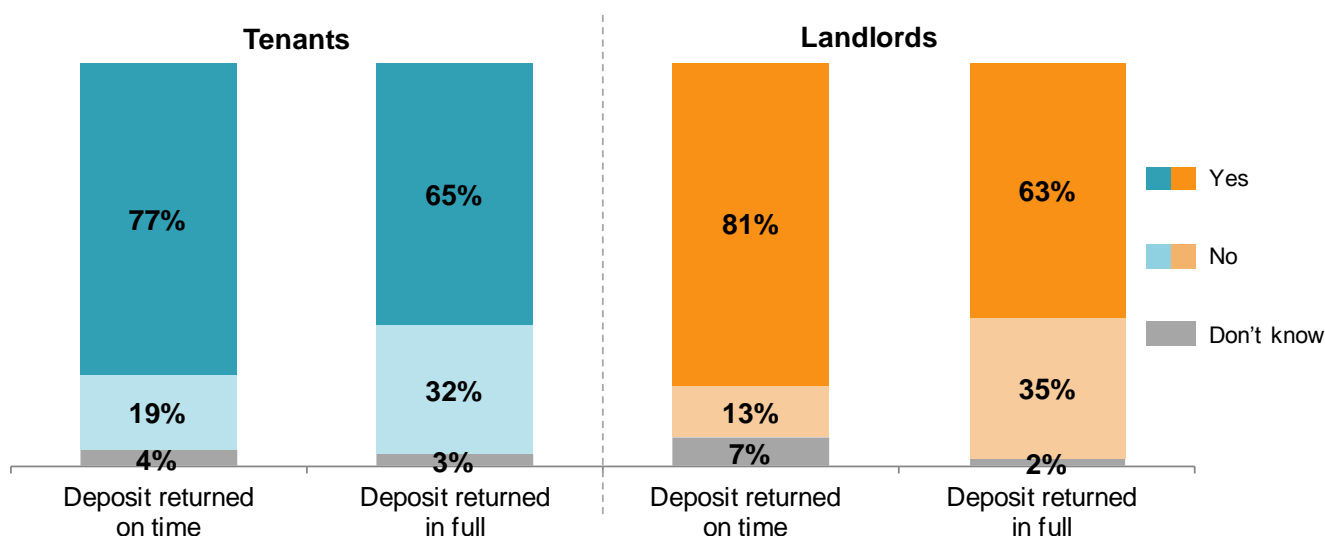
Tenants and landlords were then asked a series of questions about a tenancy that ended in the last 3 years.

Whether deposit returned on time and/or in full – tenants and landlords

As shown in Figure 12, most tenants received their deposit back on time and the majority received their deposit in full. Of those who gave an answer to both questions, 67% received their deposit back on time **and** in full.

As also shown in Figure 12, similar proportions of landlords reported that their tenants received their deposit back on time and in full. Again, of those who gave an answer to both questions, 63% said their tenants got their deposit back on time **and** in full.

Figure 12 Whether the tenants deposit was returned on time and/or in full



Base: tenants who had a previous tenancy where the deposit was protected (2275) landlords who had a previous tenancy and protected the deposit (810)

Tenant subgroup differences

Older households were more likely to have had their deposit returned on time (95%, compared with 74-77% of other household types), and in full (93%, compared with 52-67%).

Tenants who had not used a letting agent were more likely to have had their deposit returned on time (82%, compared with 75% of those who used an agent) and in full (76%, compared with 61%). Similarly, 77% of those who did not use an agent received their deposit back on time **and** in full, compared with 63% of those who rented through a letting agent.

Tenants whose previous tenancy ended before 2017 were more likely to have had their deposit returned in full (69%, compared with 63%).

Reasons why deposit not returned on time and/or in full - tenants

Tenants who did not get their deposit back on time were asked why there was a delay. For most tenants, the reason for the delay was most commonly their landlord (54%) or because they were negotiating any deductions to be made (45%). The tenancy deposit scheme caused a delay for 9% of tenants.

Those who did not receive their deposit in full were also asked why this was. The most common reason for deposit deductions was 'damage to the property' (84%), followed by 'rent arrears' (15%) and 'unpaid bills' (2%).

Tenant subgroup differences

Family households were more likely to have not received their deposit back in full because of rent arrears (34%) than single adult (12%), small adult (6%) or large adult (5%) households¹⁰. On the other hand, family households were less likely to have had deductions made because of damage to the property (64%) than single adult (86%), small adult (94%) or large adult (93%) households.¹¹

Reasons why deposit not returned on time and/or in full - landlords

Landlords whose tenants did not get their deposit back on time were asked why there was a delay. Around half of landlords reported that they were negotiating any deductions to be made (52%), for 17% the tenancy deposit scheme caused a delay and for 16% the tenant caused a delay. Only 3% of landlords said that they had caused a delay themselves.

Landlords were also asked why their tenants did not receive their deposit back in full. The most common reasons were damage to the property (66%) and cleaning (63%)¹². For 29%, the deposit was not returned in full because of rent arrears, while for 11% unpaid bills were the cause.

Dispute process – tenants

Those who did not get their deposit back in full and/or on time were then asked if they used the scheme's dispute process. Of those tenants, 35% had used the dispute process, the remaining 65% had not.

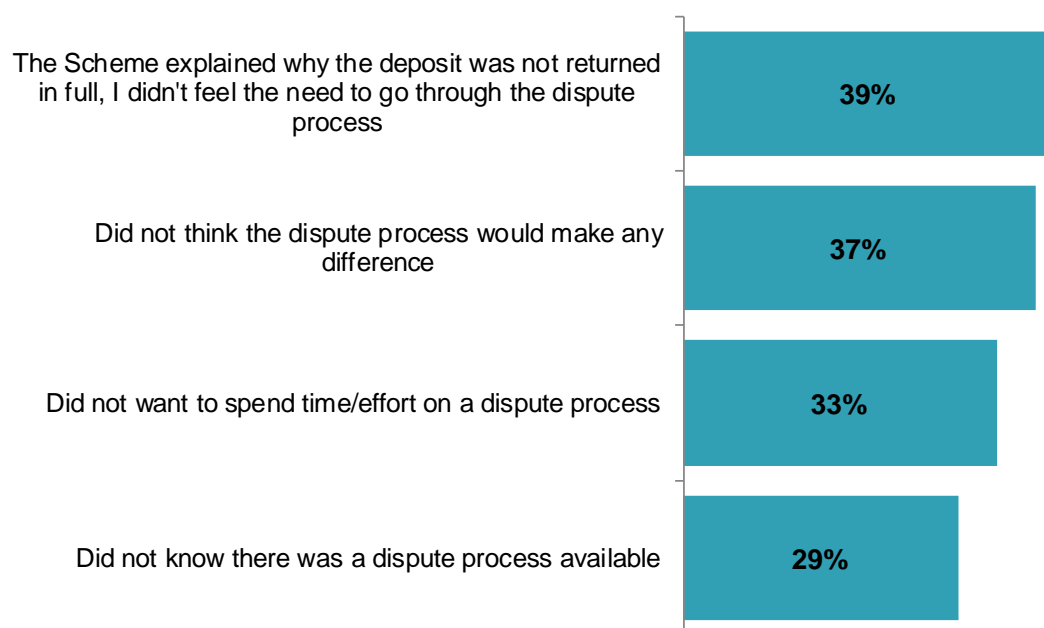
Tenants who did not use the dispute process were asked why they did not so do. As shown in Figure 13, the most common reasons given were that 'the scheme explained why the deposit wasn't being returned in full,' and that they 'did not think the dispute process would make any difference'. A third of tenants said that they did not want to spend time or effort on the dispute process, whilst one in three did not know there was a dispute process.

¹⁰ The corresponding figure for older households is 24%

¹¹ The corresponding figure for older households is 76%.

¹² 'Cleaning' was added as answer code to landlord survey but not to the tenant survey.

Figure 13. Reasons why tenants did not use the dispute service



Base: tenants who did not use the dispute service (458)

Tenant subgroup differences

Tenants who rented through a letting agent were more likely to use the tenancy deposit schemes dispute process (37%) than those who did not use a letting agent (25%).

Large adult households were the most likely to not use the dispute service because they did not think it would make any difference (52%), especially compared with family households (26%).

Similarly, those who did not rent their previous tenancy through a letting agent were more likely to have not used the dispute process because they did not think it would make any difference (47%, compared with 34% of those who did use an agent). Conversely, those who did use an agent were more likely to have not used the dispute service because they did not want to spend the time or effort (35%, compared with 22% of those who did not use a letting agent).

Results of the dispute process - tenants

Tenants were asked what the result of the dispute process was, as well as how satisfied they were with the handling and outcome of the process.

Of those who used the dispute service, 20% reported that it found in their favour, whilst for 26% it was found in favour of the landlord and for 44% it was a split decision.

Furthermore, of those that that did use the dispute process, 55% were satisfied with the handling of the dispute and 41% were satisfied with the outcome.

Tenant subgroup differences

Those who had not used a letting agent were more likely to be satisfied with the outcome of their dispute (60%, compared with 38% of those who did use a letting agent).

Dispute process – landlords

All landlords who had a previous tenancy were asked if they had used the tenancy deposit scheme's dispute service¹³, and 20% had done so.

Those who did not use the dispute were most likely to say it was because they did not want to spend the time and effort (38%), or because they had agreed an amount separately with the tenant (25%). Landlords also did not use the dispute process because they did not think it would make any difference (18%), they did not know there was a dispute process (17%), or because the scheme explained things and they didn't feel the need to go through the dispute process (11%).

Results of the dispute process - landlords

Of those who used the dispute service, 43% reported that it found in their favour, whilst for 28% it was found in favour of the tenants and for 21% it was a split decision.

Of those landlords that that did use the dispute process, only 39% were satisfied with the handling of the dispute and 37% were satisfied with the outcome.

Review process – tenants and landlords

Only 34 tenants and 40 landlords went to review and therefore no further analysis has been conducted.

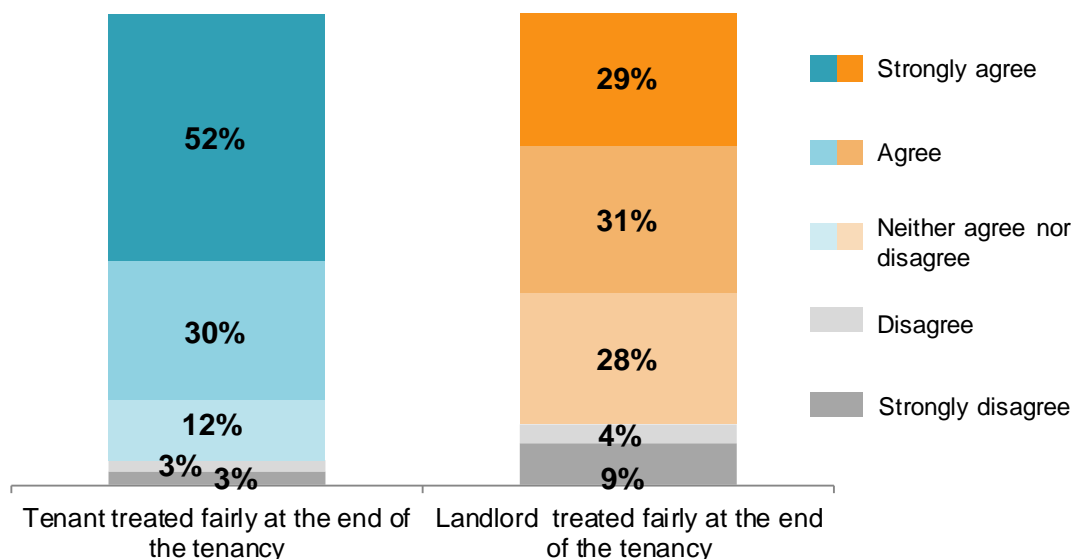
¹³ This differs from the tenant survey, where this question was only asked of those who did not get their deposit back on time or in full. This means the tenant and landlord results are not comparable here.

Whether treated fairly at end of tenancy

Both tenants and landlords were asked the extent to which they agreed that the tenancy deposit scheme treated them fairly at the end of the tenancy.

As shown in Figure 14, most tenants agreed that they were treated fairly by the scheme at the end of the tenancy. Only a small proportion disagreed with this statement. Landlords, on the other hand, were both less likely to agree and more likely to disagree that they had been treated fairly by the scheme than tenants.

Figure 14. Whether tenants and landlords feel they were treated fairly at the end of the tenancy



Base: tenants who had a previous tenancy where the deposit was protected (2275)
landlords who had a previous tenancy and protected the deposit (810)

Tenant subgroup differences

Older households were more likely to agree that they were treated fairly at the end of the tenancy (97%, compared with 77-82% of other household types).

Those who did not rent through a letting agent were also more likely to agree that they were treated fairly at the end of the tenancy (88%, compared with 80% of those with a letting agent).

Landlord subgroup differences

Unintentional landlords were more likely to disagree that they were treated fairly at the end of the tenancy (15%, compared with 10% of intentional landlords).

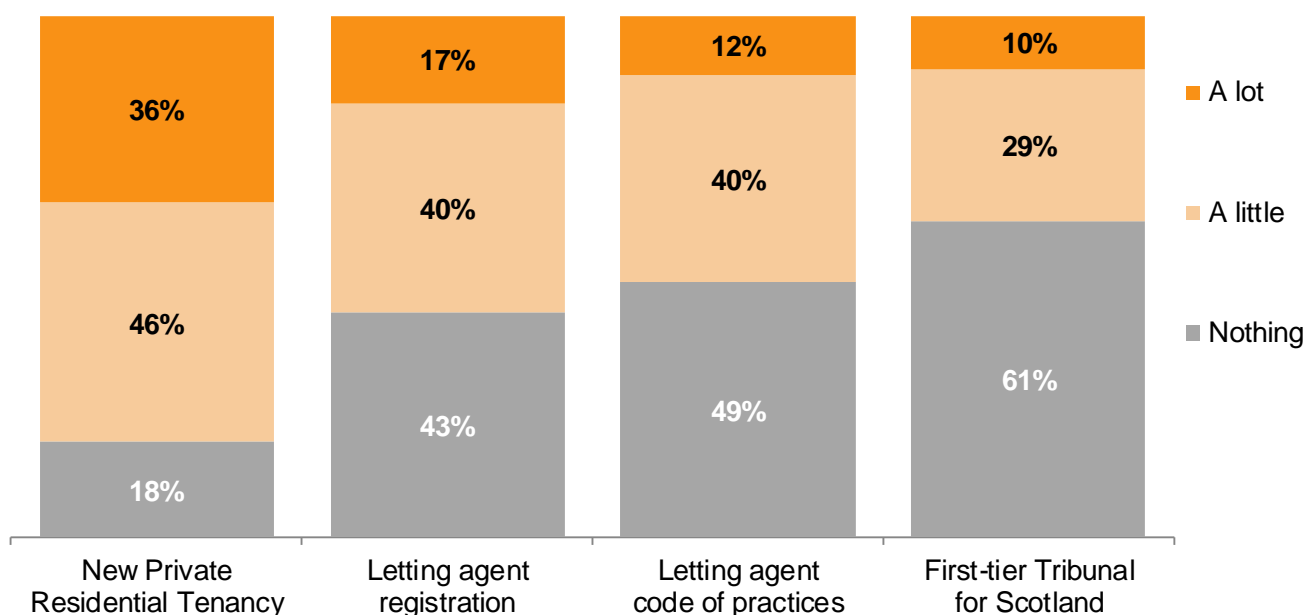
Future developments in the Private Rental Sector (PRS)

Awareness of PRS changes - landlords

Landlords were asked how much they knew about some of the recent changes made to the PRS in Scotland.¹⁴

As shown in Figure 15, landlords knew the most about the new private residential tenancy, with 36% knowing 'a lot' and only 18% not knowing anything. Nearly half of landlords did not know anything about 'letting agent registration' or the 'letting agent code of practices'. The majority of landlords knew nothing about the First Tier Tribunal for Scotland, and only a small proportion knew a lot.

Figure 15. How much landlords know about recent changes made to the PRS



Base: all landlords (1087)

Landlord subgroup differences

Landlords with more than one property were more likely to know 'a lot' about all of the changes to the PRS, compared with landlords who have just one property (Table 2).

Table 2 Proportion of landlords who knew 'a lot' about each PRS change by portfolio size

PRS change	Landlords with one rental property	Landlords with more than one rental property
Private residential tenancy	25%	46%
First tier tribunal	6%	14%
Letting agent registration	13%	21%
Letting agent code of practices	8%	15%

¹⁴ <https://beta.gov.scot/publications/place-stay-place-call-home-strategy-private-rented-sector-scotland/>

Intentional landlords were more likely to know a lot about the new private residential tenancy (40%, compared with 30% of unintentional landlords) and the First Tier Tribunal (12%, compared with 8%).

Longer-term landlords were less likely to know 'nothing' about the private residential tenancy than newer landlords (22%, compared with 16%) and the First Tier Tribunal (58%, compared with 65%).

Intention for rental properties - landlords

Landlords were asked what their plans were for their rental units over the next five years. Almost half were planning to 'keep the same number' (44%), and a further 9% planned to increase the number of units. However, 27% said they were planning to leave the market altogether, whilst 8% planned to decrease the number of units and 13% did not know.

Landlord subgroup differences

Landlords with more than one property were more likely than landlords with only one property to plan to increase the number of units over the next 5 years (12%, compared with 6% of those with one property). Landlords with only one property were more likely to plan to keep the same number of units (49%, compared with 39% of landlords with more than one property) and leave the market altogether (30%, compared with 24%).

Rural landlords were more likely to plan to keep the same number of units than small town or urban landlords (52%, compared with respectively 39% and 46%).

Intentional landlords were more likely to want to increase the number of units (11%, compared with 6% of the unintentional landlords) and to decrease the number of units (11%, compared with 4%). Unintentional landlords were more likely to want to keep the same number of units (48%, compared with 41% of intentional landlords).

Longer-term landlords were more likely to want to decrease the number of units (11%, compared with 3%) and leave the market altogether (32%, compared with 19%). Newer landlords were more likely to want to increase the number of units (14%, compared with 5%) or keep the same number (48%, compared with 41%).

Annexes

Annex A – technical details

Survey scripting

The tenant survey was scripted by Craigforth using Survey Monkey software, whilst the landlord survey was scripted by Scottish Government analysts using Questback.

Questions in the tenant survey were not mandatory, and so the base sizes available for analysis differ between questions. Questions on the landlord survey were mandatory, although a ‘don’t know’/‘don’t want to answer’ or equivalent option was always shown.

Weighting

The tenant survey was weighted to be representative of household type and geographical spread.

The weighting targets used are shown below and are based on the 2016 Scottish Household Survey.

Table A.1

Population (%)	Large urban areas	Other urban areas	Access-ible small towns	Remote small towns	Access-ible rural	Remote rural	TOTAL
Single adult	38%	37%	28%	35%	26%	20%	34%
Small adult	34%	21%	14%	28%	22%	25%	26%
Single parent	6%	14%	12%	5%	6%	10%	9%
Small family	10%	11%	19%	14%	11%	10%	11%
Large family	2%	4%	7%	0%	7%	4%	4%
Large adult	8%	5%	4%	3%	10%	8%	7%
Older smaller	0%	2%	5%	4%	8%	9%	3%
Single older	2%	6%	10%	11%	10%	14%	6%

Design factor: 1.259

The landlord survey was not weighted, due to population estimates being unavailable.

Annex B – subgroup definitions and base sizes

Table B.1 Tenant subgroup definitions and base sizes

Name	Categories	Definition	Total
Household type	Older	Contains one or more adults of pensionable age (Q65)	537
	Large adult	Contains three or more adults and no children (Q65)	450
	Small adult	Contains two adults and no children (Q65)	1720
	Single adult	Contains one adult and no children (Q65)	2269
	Family	Contains any children (Q65)	1563
Current tenancy location	Rural	Postcode given is within a settlement of less than 3,000 people (Q67)	847
	Small town	Postcode given is within a settlement of 3,000 - 9,999 people (Q67)	674
	Urban	Postcode given is within a settlement of more than 10,000 people (Q67)	3931
Current tenancy – whether used letting agent	Yes	Respondent answered ‘yes’ at Q5	5343
	No	Respondent answered ‘no’ at Q5	2408
Current tenancy – when started	2016 or earlier	Respondent gave 2016 or an earlier year at Q4	3394
	2017 or later	Respondent gave 2017 or 2018 at Q4	4239
Previous tenancy – whether used letting agent	Yes	Respondent answered ‘yes’ at Q33	1963
	No	Respondent answered ‘no’ at Q33	1290
Previous tenancy – when ended	2016 or earlier	Respondent gave 2016 or an earlier year at Q32	1250
	2017 or later	Respondent gave 2017 or 2018 at Q32	1911

Table B.2 Landlord subgroup definitions and base sizes

Name	Categories	Definition	Total
Size of landlord	One rental property	Respondent answered that they owned one rental property at Q2	543
	More than one rental property	Respondent answered that they owned more than one rental property at Q2	543
Whether intended to be a landlord	Intentional landlord	Respondent answered that they intended to become a landlord at Q5 or Q6	617
	Unintentional landlord	Respondent answered that they did not intend to become a landlord at Q5 or Q6	450
Location of rental property or majority of rental properties	Rural	Respondent answered rural at Q8 or Q9	109
	Small town	Respondent answered small town at Q8 or Q9	394
	Urban	Respondent answered urban at Q8 or Q9	573
Length of time as a landlord	Longer-term landlord	Date respondent became a landlord is before 2013 at Q7	657
	Newer landlord	Date respondent became a landlord is 2013 or later at Q7	429

Annex C - questionnaires

Tenant questionnaire

1. It would be useful for us to know how you heard about the survey - please provide brief details below.

2. Which of the following best describes your living situation?

- Rent from a private landlord (including through a letting agency)
- Rent from a council/local authority/housing association or other registered social landlord
- Rent from someone else
- Own home or buying it with the help of a mortgage/loan
- Live rent-free in another person's property

3. Do you have a single or joint tenancy?

- Single tenancy
- Joint tenancy
- Do not have a tenancy agreement

4. When did your tenancy start?

5. Is your tenancy managed by a letting agent?

- Yes
- No
 - Don't know

6. How much do you agree or disagree with the following?

ROWS

- I know enough about the purpose of Tenancy Deposit Schemes in Scotland
- I know enough about how the Tenancy Deposit Schemes in Scotland work

COLUMNS

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

7. Was a deposit paid at the beginning of your current tenancy?

- Yes - to the landlord
- Yes - to the letting agent
- Yes - to someone else (please use the box below to tell us who)
- No
- Don't know
- Someone else

8. Who paid your deposit?

- I/my household did
- A relative or friend
- My employer
- My educational institute
- Another organisation

9. Is your deposit being protected by one of the Tenancy Deposit Schemes?

This involves your landlord or letting agent lodging your deposit with one of the three schemes in Scotland (Letting Protection Service Scotland, MyDeposits Scotland, SafeDeposits Scotland). The scheme holds the deposit and deals with returning it when your tenancy ends.

- Yes
- No
- Don't know

10. Do any of the following apply to you or your tenancy? Please select ALL that apply

- The tenancy is less than 30 days old
- My landlord is a family member
- I have an agricultural or crofting tenancy
- The property is a holiday home
- The property is supported accommodation
- The property is used by a religious organisation
- The property is subject to a control order
- The tenancy is a "life rent"

- The property is in transitory ownership (repossession by a mortgage lender, executors dealing with a deceased person's estate, etc)
- None of the above

11. Have you asked for your deposit to be protected?

- Yes - my landlord
- Yes - the letting agent
- Yes - the First Tier Tribunal
- Yes - asked someone else (please specify)
- No, I haven't raised it with anyone
- Don't know/Can't remember
- Someone else

12. Why have you not asked for your tenancy deposit to be protected?

Please select all that apply

- Did not know that tenancy deposits had to be protected
- Did not know who to speak to about this
- Worried about how my landlord/letting agent would react to the request
- Was not concerned about the deposit not being protected
- Other (please write in below)

13. When you asked for your deposit to be protected, what response did you receive?

Please select all that apply

- The landlord said they would protect the deposit, but haven't yet
- The letting agent said they would protect the deposit, but haven't yet
- I was told that that they did not need to protect my deposit
- I haven't received any response yet
- Other (please write in below)

14. Are you planning on doing any of the following?

Please select all that apply

- Take it to the First Tier tribunal
- Report it to someone else (please use the box below to tell us who)
- Don't plan on doing anything else
- Please write in below

13. When you asked for your deposit to be protected, what response did you receive?

Please select ALL that apply

- The landlord said they would protect the deposit, but haven't yet
- The letting agent said they would protect the deposit, but haven't yet
- I was told that that they did not need to protect my deposit
- I haven't received any response yet
- Other (please write in below)

14. Are you planning on doing any of the following?

Please select all that apply

- Take it to the First Tier tribunal
- Report it to someone else (please use the box below to tell us who)
- Don't plan on doing anything else
- Please write in below

15. Was your deposit protected within 30 days of your tenancy starting?

- Yes
- No
- The tenancy is less than 30 days old
- Don't know/Can't remember

16. Did you have to take any of the following actions to get your deposit protected?

- Ask my landlord
- Ask my letting agent
- Ask someone else
- Open a case with the First Tier Tribunal
- Something else
- I didn't take any action

17. Which Tenancy Deposit Scheme is protecting your deposit?

- Letting Protection Service Scotland
- MyDeposits Scotland
- SafeDeposits Scotland
- Don't know/Can't remember

18. Have you received any of the following information on the Tenancy Deposit Scheme at the start of your tenancy, or since then?

Please select all that apply

ROWS

- The purpose of Tenancy Deposit Schemes
- Which Scheme is protecting my deposit
- How Tenancy Deposit Schemes protect tenants' deposits
- How my deposit will be returned at the end of my tenancy
- What happens if there is a disagreement over
- how much of my deposit should be returned at the end of my tenancy
- How I can make a complaint about how my deposit is handled

COLUMNS

- At the start of your tenancy
- During your tenancy
- No information received

19. How have you received information on the Tenancy Deposit Scheme?

Please select all that apply

- From my landlord
- From my letting agent
- Direct from the scheme (via email or letter)
- From the scheme's website
- Other (please write in below)

20. Is there any information that you have not received, but would find useful?

Please select ALL that apply

- The purpose of Tenancy Deposit Schemes
- Which Scheme is protecting my deposit
- How Tenancy Deposit Schemes protect tenants' deposits
- How my deposit will be returned at the end of my tenancy
- What happens if there is a disagreement over how much of my deposit should be returned at the end of my tenancy
- How I can make a complaint about how my deposit is handled
- I do not need any more information on the Tenancy Deposit Scheme
- Other (please write in below)

21. How satisfied or dissatisfied are you with the amount of information you've received from the Tenancy Deposit Scheme?

- Very satisfied
- Fairly satisfied
- Neither satisfied nor dissatisfied
- Fairly dissatisfied
- Very dissatisfied

22. Have you made a complaint about the Tenancy Deposit Scheme?

- Yes
- No

23. Who did you complain to?

Please select all that apply

- The Scheme protecting my deposit
- Letting agent
- Landlord Council
- Private rented housing panel
- First-tier tribunal
- Voluntary organisation
- Other (please write in below)

24. What was your complaint about? Please write in below

25. Thinking about how the Tenancy Deposit Scheme dealt with your complaint, how satisfied or dissatisfied were you with the following?

ROWS

- The handling of my complaint
- The outcome of my complaint

COLUMNS

- Very satisfied
- Fairly satisfied
- Neither satisfied nor dissatisfied
- Fairly dissatisfied
- Very dissatisfied

26. Have you contacted the Tenancy Deposit Scheme at any point during your current tenancy (other than to make a complaint)?

- Yes
- No, I have wanted to contact the Scheme but was unsure how to
- No, I haven't had any reason to contact the Scheme
- Don't know/Can't remember

27. Why did you contact the Scheme?

Please select all that apply

- To get information on how the Scheme worked To check that my deposit is protected
- To find out how to reclaim my deposit To find out how to log into my account To find out how to dispute the offer
- To find out how to complain about the Scheme
- Other (please write in below)

28. How much do you agree or disagree that it was easy to contact the Tenancy Deposit Scheme?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

29. How much do you agree or disagree with the following statements?

ROWS

- I am confident that my tenancy deposit is safe
- I trust the Tenancy Deposit Scheme to deal with my deposit fairly and efficiently

COLUMNS

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

30. Have you had any private tenancies that have ended in the last 3 years?

- Yes
- No
- Don't know/Can't remember

You will now be asked a similar set of questions about your previous private tenancy. Please think only about your most recent previous tenancy when answering.

31. Was this a single or joint tenancy?

- Single tenancy
- Joint tenancy
- Did not have a tenancy agreement

32. When did the tenancy start and end?

33. Was the tenancy managed by a letting agent?

- Yes
- No
- Don't know

34. Did you pay a deposit at the beginning of this tenancy?

- Yes - directly to the landlord
- Yes - to the letting agent
- Yes - to someone else
- No
- Don't know/Can't remember

35. Who paid your deposit?

- I/my household did
- A relative or friend
- My employer
- My educational institute
- Another organisation

36. Was your deposit protected by one of the Tenancy Deposit Schemes?

This involves your landlord or letting agent lodging your deposit with one of the three schemes in Scotland (Letting Protection Service Scotland, MyDeposits Scotland, SafeDeposits Scotland). The scheme holds the deposit and deals with returning it when your tenancy ends.

- Yes
- No
- Don't know

37. Did any of the following apply to you or your tenancy?

Please select all that apply

- The tenancy ended after less than 30 days
My landlord was a family member
- It was an agricultural or crofting tenancy
The property was a holiday home
- The property was supported accommodation
- The property was used by a religious organisation
The property was subject to a control order
- The tenancy was a "life rent"
- The property was in transitory ownership (repossession by a mortgage lender, executors dealing with a deceased person's estate, etc)
- None of the above

Unprotected deposits

38. Did you ask for your deposit to be protected?

- Yes - the landlord
- Yes - the letting agent
- Yes - the First Tier Tribunal
- Yes - someone else (please use the box below to tell us who you spoke to) No
- Don't know/Can't remember
- Someone else

39. Why did you not ask for your tenancy deposit to be protected? Please select ALL that apply

- Did not know that tenancy deposits had to be protected
Did not know who to speak to about this
- Worried about how my landlord/letting agent would react to the request
Was not concerned about the deposit not being protected
- Other (please write in below)

40. When you asked for your deposit to be protected, what response did you receive?

Please select ALL that apply

- The landlord said they would protect the deposit, but didn't
- The letting agent said they would protect the deposit, but didn't
- I was told that that they did not need to protect my deposit
- I didn't receive any response
- Other (please write in below)

41. Was your deposit protected within 30 days of your tenancy starting?

- Yes
- No
- Don't know/Can't remember

42. Did you have to take any of the following actions to get your deposit protected?

- Ask my landlord
- Ask my letting agent
- Ask someone else
- Open a case with the First Tier Tribunal
- Something else
- I didn't take any action

43. Which Tenancy Deposit Scheme protected the deposit for this tenancy?

- Letting Protection Service Scotland
- MyDeposits Scotland
- SafeDeposits Scotland
- Don't know/Can't remember

44. Did you ever make a complaint about this tenancy?

- Yes
- No

45. Who did you complain to?

Please select ALL that apply

- The Scheme protecting my deposit
- Letting agent
- Landlord Council
- Private rented housing panel
- First-tier tribunal
- Voluntary organisation
- Other (please write in below)

46. What was your complaint about?

Please write in below

47. Thinking about how the Tenancy Deposit Scheme dealt with your complaint, were you satisfied or dissatisfied with the following?

ROWS

- The handling of my complaint
- The outcome of my complaint

COLUMNS

- Very satisfied
- Fairly satisfied
- Neither satisfied nor dissatisfied
- Fairly dissatisfied
- Very dissatisfied

48. Was your deposit returned on time?

- Yes
- No
- Don't know/Can't remember

49. Why was your deposit not returned on time?

Please select all that apply

- My landlord caused a delay
- The Tenancy Deposit Scheme caused a delay
- I caused a delay
- We were negotiating any deductions to be made
- Other reason

50. Was your deposit returned in full?

- Yes
- No
- Don't know/Can't remember

51. Why was your deposit not returned in full?

Please select all that apply

- Damage to the property
- Rent arrears
- Unpaid bills
- Other (please write in below)

52. Did you use the Tenancy Deposit Scheme's dispute process?

- Yes
- No

53. Why did you not use the Tenancy Deposit Scheme's dispute process?

Please select all that apply

- Did not know there was a dispute process available
- Did not think the dispute process would make any difference
- Did not want to spend the time/effort on a dispute process
- The Scheme explained why the deposit was not returned in full, I didn't feel the need to go through the dispute process
- Other (please write in)

54. What was the result of your dispute?

- They found in my favour
- They found in my landlord's favour
- It was a split decision
- It is still ongoing

55. Thinking about the dispute process, were you satisfied or dissatisfied with the following?

ROWS

- The handling of the dispute
- The outcome of the dispute

COLUMNS

- Very satisfied
- Fairly satisfied
- Neither satisfied nor dissatisfied
- Fairly dissatisfied
- Very dissatisfied

56. At the end of the dispute process, did you ask for the decision to be reviewed?

- Yes
- No
- The dispute is still ongoing

57. What was the result of the decision review?

- They found in my favour
- They found in my landlord's favour
- It was a split decision
- It is still ongoing

58. Thinking about the decision review, were you satisfied or dissatisfied with the following?

ROWS

- The handling of the review
- The outcome of the review

COLUMNS

- Very satisfied
- Fairly satisfied
- Neither satisfied nor dissatisfied
- Fairly dissatisfied
- Very dissatisfied

59. How much do you agree or disagree that you were treated fairly by the Tenancy Deposit Scheme at the end of your tenancy?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

The next few questions are about any private tenancies you may have had in the last 5 years.

60. Have you had a tenancy in the last 5 years where the deposit was not protected by one of the Tenancy Deposit Schemes?

Please include any tenancies that you have already told us about.

- Yes
- No
- Don't know/Can't remember

61. Have you or anyone you know ended a tenancy in the last 5 years without reclaiming the deposit? Please include any tenancies that you have already told us about.

- Yes - I have
- Yes - I know someone who has
- No
- Don't know/Can't remember

62. If yes, why was this?

Please write in below

Finally, about you

The last few questions are about you and your household. We only use this information to make sure we have a good mix of survey respondents, and to help us better understand the results. Please remember your survey response is completely confidential, but you can skip any questions that you do not wish to answer.

63. Which of the following describes how you think of yourself?

- Male
- Female
- Other

64. How old are you?

- Under 25
- 25-34
- 35-44
- 45-54
- 55-64
- 65+

65. Including yourself, how many adults and children are in your household?

ROWS

- Adults aged 16-64
- Adults aged 64+
- Children aged under 16 years

COLUMNS

- Please write in

66. Please tell us about the employment status of all adults in the household.

Select one for each

67. Please write in your postcode below. This will be only be used to help us look at how views change across the country

Please leave blank if you would prefer not to say

68. What is your ethnic group?

- White - Scottish
- White - other British
- White - Irish
- White - other
- Mixed or multiple ethnic group
- Asian, Asian Scottish or Asian British
- African
- Caribbean or Black
- Other ethnic group

69. Where were you born?

- Scotland
- England
- Wales
- Northern Ireland
- Republic of Ireland
- Elsewhere in the EU
- Outside the EU

70. Do you have a physical or mental health condition or illness lasting or expected to last 12 months or more?

- Yes
- No
- Don't know

71. Everyone taking part in the survey has a chance to be entered into a prize draw to win one of 5 x£50 prizes.

Please tick below to confirm that you wish to be included in the prize draw.

- Yes, I would like to enter the prize draw

If yes, please provide an email address below (we will only use this to let you know if you have been lucky in the prize draw)

Landlord questionnaire

1. Do you own any residential property in Scotland that you rent out to others?

Please choose all that apply

- Yes
- No

SCREEN OUT IF 'No'

2. How many properties for residential let do you currently own?

Please choose one answer only

- One
- More than one (please specify)

IF OWN ONE PROPERTY

3. How did you acquire the property that you let out?

Please choose one answer only

- Inherited
- Bought
- Received as a gift
- Built it
- Other (please specify)

IF OWN MORE THAN ONE PROPERTY

4. How did you acquire the first property that you let out?

Please choose one answer only

- Inherited
- Bought
- Received as a gift
- Built it
- Other (please specify)

IF OWN ONE PROPERTY

5. Did you acquire the property with the intention of letting it from the start?

Please choose one answer only

- Yes
- No
- Don't know

IF OWN MORE THAN ONE PROPERTY

6. Did you acquire your first rental property with the intention of letting it from the start?

Please choose one answer only

- Yes
- No
- Don't know

IF OWN MORE THAN ONE PROPERTY

7. In what year did you first start letting residential property in Scotland?

Please choose one answer only

- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011
- Before 2011

IF OWN ONE PROPERTY

8. Which best describes the location of your rental property?

Please choose one answer only

- Rural
- Small town
- Urban
- Don't know

IF OWN MORE THAN ONE PROPERTY

9. Which best describes the location of the majority of your rental properties?

Please choose one answer only

- Rural
- Small town(s)
- Urban
- Don't know

IF OWN ONE PROPERTY

10. Do you use a letting agent?

Please choose one answer only

- Yes
- No – but I have in the past
- No – I never have

IF OWN MORE THAN ONE PROPERTY

11. Do you use a letting agent?

Please choose one answer only

- Yes – for all my rental properties
- Yes – for some of my rental properties
- No – but I have in the past
- No – I never have

12. Which, if any, of the following type(s) of residential letting properties do you own?

Please choose all that apply

- Flat(s) – individual unit(s) in a purpose-built block or converted house
- House – detached/semi detached
- House – terraced
- Bungalow
- House of Multiple Occupation (i.e. HMO)
- Purpose built student accommodation
- Other (please specify)

13. Generally, which types of tenants do you tend to have in any of the property(ies) that you let out?

Please choose all that apply

- Young singles
- Young couples
- Families with children
- Older couples
- Retired
- Students
- Local Housing Allowance (LHA) claimants
- Blue collar/ manual workers
- White collar/ clerical or professional workers
- Executive/ company lets
- Workers from other countries
- Older singles
- Other (please specify)
- Don't know

IF BEEN A LANDLORD SINCE 2013 OR EARLIER

14. What was your initial opinion of the Tenancy Deposit Scheme when it was introduced in 2012?

Please choose one answer only

- Positive
- Neutral
- Negative
- Other (please specify)
- Don't know

15. What is your general opinion of the Tenancy Deposit Scheme now?

Please choose one answer only

- Positive
- Neutral
- Negative
- Other (please specify)
- Don't know

16. How much do you agree or disagree that the current Tenancy Deposit Scheme regulations...

Please choose one answer per row

ROWS

- ...are good for landlords
- ...are good for tenants
- ...are improving standards in the Scottish private rental sector
- ...help reduce the number of unfairly withheld tenancy deposits
- ...help ensure that deposits are safeguarded throughout the duration of the tenancy
- ...help ensure that deposits are returned quickly and fairly

COLUMNS

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don't know

17. And how much do you agree or disagree with the following...

Please choose one answer per row

ROWS

- I know enough about the purpose of Tenancy Deposit Schemes in Scotland
- I know enough about how the Tenancy Deposit Schemes in Scotland work

COLUMNS

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Current tenancies

IF ONE RENTAL PROPERTY

18. Do you currently have a tenant/tenants in your rental property?

- Yes
- No

IF OWN MORE THAN ONE RENTAL PROPERTY

19. Do you currently have a tenant/tenants in any of your rental properties?

- No
- Yes – in one property
- Yes – in more than one property (please specify how many properties)

IF RENTING OUT ONE PROPERTY

TEXT SCREEN

The next few questions are about your current tenancy

IF RENTING OUT MORE THAN ONE PROPERTY

TEXT SCREEN

The next few questions are about your current tenancies.

As you are letting out more than one property, please think about and answer only about **one property** that is a good example of your rental portfolio

Please think only about a property that you let out in **Scotland**

IF HAVE CURRENT TENANTS

20. Did you take a deposit for this tenancy?

Please choose one answer only

- Yes
- No

IF DID NOT TAKE A DEPOSIT

21. Why did you not take a deposit for this tenancy?

Please choose all that apply

- The tenant is a family member/friend
- The tenant could not afford it
- I prefer not to take a deposit
- I thought it would be too much hassle to protect it
- Other (please specify)

IF RENTING MORE THAN ONE PROPERTY AND DID NOT TAKE A DEPOSIT

22. Have you taken a deposit for other properties that you are letting out?

Please choose all that apply

- Yes – other current rentals
- No – but I have for previous rentals
- No – never have

IF A DEPOSIT WAS TAKEN

23. Did you protect this deposit with one of the Tenancy Deposit Schemes?

Please choose one answer only

- Yes
- No
- Don't know/can't remember

**IF DEPOSIT WAS NOT PROTECTED/
CAN'T REMEMBER**

24. Did any of the following apply to your tenant or the tenancy?

Please choose all that apply

- The tenancy ended after less than 30 days
- My tenant was a family member
- It was an agricultural or crofting tenancy
- The property was a holiday home
- The property was supported accommodation

- The property was used by a religious organisation
- The property was subject to a control order
- The tenancy was a "life rent"
- The property was in transitory ownership (repossession by a mortgage lender, executors dealing with a deceased person's estate, etc)
- None of the above

IF NONE CHOSE ABOVE

25. Why did you not protect your tenants deposit?

- This tenancy was exempt from the rules
- The tenant did not want me to protect the deposit
- I was not aware of the rules around protecting tenancy deposits
- Other (please specify)

IF RENTING MORE THAN ONE PROPERTY AND DID NOT PROTECT THE DEPOSIT

26. Have you protected the deposit for other properties that you are letting out?

Please choose one answer only

- Yes – other current rentals
- No – but I have for previous rentals
- No – never have

ALL QUESTIONS IN THE REST OF THIS SECTION ONLY ASKED TO THOSE WHO PROTECTED THE DEPOSIT

27. Did you protect the deposit within 30 working days?

Please choose one answer only

- Yes
- No
- Don't know/can't remember

28. At the start of the tenancy, which scheme did you protect this deposit with?

Please choose one answer only

- My deposits Scotland
- Safedeposits Scotland
- Letting Protection Services Scotland
- Don't know/can't remember

29. How did you choose which scheme to use to protect your tenants deposit?

Please choose all that apply

- Letting agent suggestion
- Friend/family member suggestion
- Member organisation suggestion
- I've used them before and was happy with them
- I've used other schemes before and was unhappy with them
- Because of their marketing/promotional material
- Because of their reputation
- Because of where the scheme is based
- Another reason (please specify)

30. Do you intend to change the Tenancy Deposit Scheme you are using in the future?

Please choose one answer only

- Yes – during this tenancy
- Yes – at the end of this tenancy
- No
- I have already changed scheme during this tenancy

IF PLAN TO CHANGE

31. Which scheme do you plan to switch to?

Please choose one answer only

- SafeDeposits Scotland
- MyDeposits Scotland
- Letting Protection Service Scotland
- Haven't decided yet

IF ALREADY CHANGED

32. Which scheme have you changed to?

Please choose one answer only

- SafeDeposits Scotland
- Mydeposits Scotland
- Letting Protection Service Scotland
- Don't know/can't remember

IF ALREADY CHANGED

Text Screen

For the next few questions please think and answer about the FIRST scheme that you used to protect your tenant's deposit

33. How satisfied are you with the scheme so far?

Please choose one answer only

- Very satisfied
- Quite satisfied
- Neither satisfied nor dissatisfied
- Quite dissatisfied
- Very dissatisfied

IF QUITE OR VERY SATISFIED WITH SCHEME

34. Why have you been satisfied with the scheme so far?

Please choose all that apply

- They respond quickly to queries
- The information provided is clear and helpful
- Protecting my tenants deposit was easy
- They were able to resolve an issue for me
- I haven't experienced any issues with them
- Other (please specify)

IF QUITE OR VERY DISSATISFIED WITH SCHEME

35. Why have you been dissatisfied with the scheme so far?

Please choose all that apply

- They do not respond quickly enough to queries
- The information provided is unclear and unhelpful
- It was too complicated to protect my tenants deposit
- They were unable to resolve an issue for me
- Other (please specify)

36. Have you made a complaint about the Tenancy Deposit Scheme?

Please choose one answer only

- Yes
- No

IF COMPLAINED

37. Who did you complain to?

Please choose one answer only

- The scheme
- Letting agent
- Council
- Private rented housing panel
- First-tier tribunal
- Voluntary organisation

IF COMPLAINED

38. What was your complaint about?

Please write in your answer

Open text box

IF COMPLAINED TO SCHEME

39. Thinking about how the Tenancy Deposit Scheme dealt with your complaint, how satisfied or dissatisfied were you with the following?

Please choose one answer per row

ROWS

- The handling of my complaint
- The outcome of my complaint

COLUMNS

- Very satisfied
- Quite satisfied
- Neither satisfied nor dissatisfied
- Quite dissatisfied
- Very dissatisfied

40. Have you contacted the Tenancy Deposit Scheme at any point during your current tenancy (other than to make a complaint)?

Please choose one answer only

- Yes
- No, I have wanted to contact the Scheme but was unsure how to
- No, I haven't had any reason to contact the Scheme
- Don't know/Can't remember

IF CONTACTED SCHEME

41. Why did you contact the Tenancy Deposit Scheme?

Please choose all that apply

- To get information on how the Scheme worked
- To check that my tenant's deposit is protected
- To find out how to make deductions from the deposit
- To find out how to log into my account
- To find out how to dispute the offer
- To find out how to complain about the Scheme
- Other (please specify)

IF CONTACTED SCHEME

42. How much do you agree or disagree that it was easy to contact the Tenancy Deposit Scheme?

Please choose one answer only

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

43. How much do you agree or disagree with the following statements?

Please choose one answer per row

ROWS

- I am confident that the deposit is safe
- I trust the Tenancy Deposit Scheme to deal with the deposit fairly and efficiently

COLUMNS

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Previous tenancies

44. Have you let out any residential property where the tenancy has ended in the last 3 years?

Please choose one answer only

- Yes
- No
- Unsure

ALL QUESTIONS IN THE REST OF THIS SECTION ONLY ASKED TO THOSE WHO HAD A PRIVATE TENANCY END IN LAST 3 YEARS

TEXT SCREEN

You will now be asked a similar set of questions about a previous private tenancy. If you have multiple previous tenancies that have ended in the last 3 years, please think only about the **most recent** one when answering.

45. Did you take a deposit for this tenancy?

Please choose one answer only

- Yes
- No

IF DID NOT TAKE A DEPOSIT

46. Why did you not take a deposit for this tenancy?

Please choose all that apply

- The tenant is a family member/friend
- The tenant could not afford it
- I prefer not to take a deposit
- I thought it would be too much hassle to protect it
- Other (please specify)

IF DID NOT TAKE A DEPOSIT

47. Why did you not take a deposit for this tenancy?

Please choose all that apply

- The tenant is a family member/friend
- The tenant could not afford it
- I prefer not to take a deposit
- I thought it would be too much hassle to protect it
- Other (please specify)

IF A DEPOSIT WAS TAKEN

48. Did you protect this deposit with one of the Tenancy Deposit Schemes?

Please choose one answer only

- Yes
- No
- Don't know/can't remember

IF DEPOSIT WAS NOT PROTECTED

49. Did any of the following apply to your tenant or the tenancy?

Please choose all that apply

- The tenancy ended after less than 30 days
- My tenant was a family member
- It was an agricultural or crofting tenancy
- The property was a holiday home
- The property was supported accommodation
- The property was used by a religious organisation
- The property was subject to a control order
- The tenancy was a "life rent"
- The property was in transitory ownership (repossession by a mortgage lender, executors dealing with a deceased person's estate, etc)
- None of the above

IF NONE CHOSEN ABOVE

50. Why did you not protect your tenants deposit?

- This tenancy was exempt from the rules
- The tenant did not want me to protect the deposit
- I was not aware of the rules around protecting tenancy deposits
- Other (please specify)

ALL QUESTIONS IN THE REST OF THIS SECTION ONLY ASKED TO THOSE WHO PROTECTED THE DEPOSIT

51. Did you protect the deposit within 30 working days?

Please choose one answer only

- Yes
- No
- Don't know/can't remember

52. Which scheme did you protect this deposit with?

Please choose one answer only

- My deposits Scotland
- Safedeposits Scotland
- Letting Protection Services Scotland
- Don't know/can't remember

53. Did you change Tenancy Deposit Scheme during the tenancy?

Please choose one answer only

- Yes
- No

IF MOVED DEPOSIT

54. Which scheme did you change to?

Please choose one answer only

- My deposits Scotland
- Safedeposits Scotland
- Letting Protection Services Scotland
- Don't know/can't remember

55. Was the tenants deposit returned on time?

Please choose one answer only

- Yes
- No
- Don't know/can't remember

56. Why was the tenants deposit not returned on time?

Please choose all that apply

- The tenant caused a delay
- The Tenancy Deposit Scheme caused a delay
- I caused a delay
- We were negotiating any deductions to be made
- Other reason

57. Was the tenants deposit returned in full?

Please choose one answer only

- Yes
- No
- Don't know/can't remember

58. Why was the tenants deposit not returned in full?

Please choose all that apply

- Cleaning
- Damage to the property
- Rent arrears
- Unpaid bills
- Other (please write in below)

59. Did you use the Tenancy Deposit Scheme's dispute process?

Please choose one answer only

- Yes
- No
- Don't know/Can't remember

IF DISPUTE PROCESS NOT USED

60. Why did you not use the Tenancy Deposit Scheme's dispute process?

Please choose all that apply

- Did not know there was a dispute process available
- Did not think the dispute process would make any difference
- Did not want to spend the time/effort on a dispute process
- The Scheme helped explain and I didn't feel the need to go through the dispute process
- Other (please write in)

IF DISPUTE PROCESS USED

61. What was the result of your dispute?

Please choose one answer only

- They found in my favour
- They found in the tenant's favour
- It was a split decision
- It is still ongoing

IF DISPUTE PROCESS USED

62. Thinking about the dispute process, were you satisfied or dissatisfied with the following?

Please choose one answer per row

ROWS

- The handling of the dispute
- The outcome of the dispute

COLUMNS

- Very satisfied
- Quite satisfied
- Neither satisfied nor dissatisfied
- Quite dissatisfied
- Very dissatisfied

IF DISPUTE PROCESS USED

63. At the end of the dispute process, did you ask for the decision to be reviewed?

Please choose one answer only

- Yes
- No

IF DISPUTE PROCESS USED

64. What was the result of the review?

Please choose one answer only

- They found in my favour
- They found in the tenant's favour
- It was a split decision
- It is still ongoing

IF DECISION REVIEWED

65. Thinking about the review process, were you satisfied or dissatisfied with the following?

Please choose one answer per row

ROWS

- The handling of the review
- The outcome of the review

COLUMNS

- Very satisfied
- Quite satisfied
- Neither satisfied nor dissatisfied
- Quite dissatisfied
- Very dissatisfied

66. How much do you agree or disagree that you were treated fairly by the Tenancy Deposit Scheme at the end of your tenancy?

Please choose one answer only

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

TDS

Monitoring of the schemes over the past 5 years has highlighted the previously unforeseen issue of **unclaimed deposits** - where a tenant could claim all or some of their deposit money back at the end of the tenancy but does not.

These deposits continue to be protected by the Schemes and the Scottish Government is exploring how best to deal with this issue at the moment.

67. Are you aware of any reasons why a tenant or particular group of tenants might not claim return of deposits?

- Yes (please explain why)
- No

Would you object to unclaimed deposits being reinvested in the private rental sector in Scotland if they remain unclaimed for more than 5 years?

Please choose one answer only

- Yes
- No

IF OBJECT ABOVE

68. Please explain your answer, including any alternative suggestions for what to do with the unclaimed monies

- Open

The next few questions are about the future of the tenancy deposit scheme and changes to the private rental sector in Scotland

69. Is there anything about the tenancy deposit scheme regulations that you would like to change?

- Open text box
- Nothing

70 How much do you know about the following recent and upcoming changes to the private rental sector in Scotland?

Please choose one answer per row

ROWS

- New Private Residential Tenancy
- First-tier Tribunal for Scotland (Housing and Property Chamber)
- Letting agent registration
- Letting agent code of practice

COLUMNS

- A lot
- A little
- Nothing

The tenancy deposit regulatory framework may need to change to fit with recent private rented sector housing reforms - including the new private residential tenancy, the new letting agent rules and the move to the First-tier Tribunal Housing and Property Chamber.

71. Do you suggest any changes to the regulations in light of new and emerging legislative change?

Please choose one answer only

- Yes
- No (please explain why not)
- Don't know

Future plans

72. And what are your plans for your rental units over the next five years?

Please choose one answer only

- Increase the number of units
- Keep the same number
- Decrease the number of units, but not leave the rental market
- Leave the market altogether
- Don't know

73. How long do you intend to stay as a landlord?

Please choose one answer only

- I intend to leave as soon as possible
- I intend to leave as soon my current tenant/s leave
- I plan to stay as a landlord for the foreseeable future

74. Are you registered as a landlord in Scotland?

Please choose one answer only

- Yes
- No
- Prefer not to say

The last few questions are about you and your household

75. How old are you?

- Under 25
- 24 – 34
- 35 – 44
- 45 – 54
- 55 – 64
- 65+
- Prefer not to say

76. How would you describe your gender?

- Male
- Female
- In another way
- Prefer not to say

77. Do you have a physical or mental health condition or illness lasting or expected to last 12 months or more?

- Yes
- No
- Prefer not to say

78. What is the total yearly income of your household? (Please include rental income as well any other income)

- £0 - £9,999
- £10,000 – £19,999
- £20,000 – £29,999
- £30,000 – £39,999
- £40,000 – £49,999
- £50,000+
- Prefer not to say

79. What is your postcode? This will only be used to help us look at how views change across the country



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This document is also available from our website at www.gov.scot.
ISBN: 978-1-78781-483-7

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

Produced for
the Scottish Government
by APS Group Scotland
PPDAS512886 (12/18)
Published by
the Scottish Government,
December 2018



Social Research series
ISSN 2045-6964
ISBN 978-1-78781-483-7

Web and Print Publication
www.gov.scot/socialresearch

PPDAS512886 (12/18)