

# Holding Deposit Agreement & Receipt

Legal basis: Tenant Fees Act 2019 | Document: LS-E-052 v1.0

## THE RULES IN BRIEF

A holding deposit is capped at one week's rent. Once taken, the landlord/agent must not take a holding deposit from anyone else for the same property. It must be repaid within 7 days of the tenancy being entered into (or applied to the first rent/deposit with the tenant's consent), or within 7 days of the 'deadline for agreement' if the tenancy does not proceed. The deadline for agreement is 15 days from when the holding deposit was received, unless a different date is agreed in writing.

## Part 1 — Details

Landlord / agent: \_\_\_\_\_

Prospective tenant(s): \_\_\_\_\_

Property: \_\_\_\_\_

Holding deposit received (£) — must not exceed one week's rent: \_\_\_\_\_

Weekly rent (£) for the cap check: \_\_\_\_\_

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

Deadline for agreement (default: 15 days from receipt): \_\_\_\_\_

## Part 2 — What this holding deposit does

In return for this holding deposit, the landlord/agent will reserve the property for the prospective tenant and stop marketing it to others while referencing and paperwork are completed, up to the deadline for agreement.

### If the tenancy goes ahead

The holding deposit will be put towards the first month's rent or the tenancy deposit (with the tenant's written consent), or otherwise repaid within 7 days of the tenancy being entered into.

### When the holding deposit may be kept

- The tenant provides false or misleading information that the landlord is reasonably entitled to consider in deciding whether to let.
- The tenant fails a Right to Rent check (and the landlord could not reasonably have known before accepting the deposit).
- The tenant notifies the landlord before the deadline that they have decided not to proceed.
- The tenant fails to take all reasonable steps to enter into the tenancy by the deadline, when the landlord has done so.

If the landlord decides not to proceed for any other reason, the holding deposit is repaid in full within 7 days. Where any amount is retained, the landlord will set out the reason in writing within 7 days.

## Part 3 — Receipt

Received from the prospective tenant the holding deposit stated above for the property stated above.

Signed (landlord / agent): \_\_\_\_\_ Date: \_\_\_\_\_

Acknowledged (tenant): \_\_\_\_\_ Date: \_\_\_\_\_

## SOURCE