



protecting
tenancy
deposits

Complaining about the way TDS handled your case



The Tenancy Deposit Scheme (TDS) is committed to providing an excellent service for dealing with disputes. However, as in any organisation, things can go wrong. Whether you are a tenant, landlord or agent, you may feel that we have not handled your case as we should have done.

Please tell us of any concerns about what we did. We take all complaints seriously and deal with them promptly, fairly and fully. We try to learn any lessons that will help to improve our service.

We will respond to you in a helpful and courteous way, and expect all parties to a dispute to deal with us in a similar way.

Can I complain about the decision made by the Independent Case Examiner?

No, we cannot change a decision because you disagree with it.

Can I complain about how the case was handled?

Yes, if you think:

- the decision made was wrong in law; or
- we failed to take into account evidence you gave us within the required timescales; or
- TDS staff delayed the adjudication unreasonably, were rude to you or did not keep you properly informed.

How do I complain?

Please follow this formal procedure. It is in two stages. If you are not satisfied at the end of the first stage, you can take your complaint to the next. The first stage is an investigation by the Head of Adjudication or a senior member of the adjudication team.

The second stage is a review of our first-stage response by the Chair of the TDS Board or an independent board member.

We will respond to all complaints in a courteous way. However, we will not respond to anyone who is aggressive or rude, or who threatens a member of our staff.

Stage 1

Please write to or email the Head of Adjudication, stating the reasons for your complaint. You can ask someone to help you put your case in writing if you wish. Putting your complaint in writing will help us to understand your complaint and respond to it fully. If you are unable to put your complaint in writing, please let us know why.

When making your complaint, please quote the case reference number. Please let us know what aspect of the service you are complaining about and what action you would like us to take to put matters right. We will write within five working days to tell you we have received your complaint.

Your complaint will then be considered by the Head of Adjudication or a senior member of the adjudication team who was not originally involved in considering your dispute. We will first look at the nature of your complaint to check it is about something we can investigate. If it is not, we will write to you to explain why we cannot take matters further. This may be, for example, because you:

- want to change a decision because you disagree with it; or
- want to introduce new evidence that would have been available to you when you submitted your [Notification of a deposit dispute](#) or [Response to dispute](#); or
- have made your complaint too late.

If you are complaining about poor administration, errors or failures, we will investigate how the case was handled. We will aim to respond to your complaint within six weeks of receiving it. If we cannot respond within six weeks, we will write to let you know the reason for delay and when you can expect a reply.

Stage 2

If you are not happy with the response you received at stage 1, you can write to the Chair of the Board, within the following two weeks, to explain why.

The Board of TDS plays no part in handling disputes or making decisions. It has members representing the professional bodies that regulate agents, and independent members reflecting the wider public interest. The Chair is always one of the independent members.

We will write to you within five working days to tell you we have received your referral to stage 2.

The Chair, or an independent member of the Board, will consider your complaint. It will be taken further only if it relates to a matter we can review. This may be:

- poor administration, errors or failures; or
- poor complaint handling at stage 1.

We can reconsider an adjudication at this stage only if:

- you can provide new information or fresh reasons to show that the response we gave you at stage 1 was wrong. It is not enough to state that you disagree with our response.

At stage 2, the Chair or independent board member will look at all the papers and review the response given to you at stage 1. We will send you a final response within six weeks of receiving your stage 2 complaint. If we cannot meet this timescale, we will write to let you know the reason for delay and when you can expect a reply.

No further appeal or complaint review is possible.

When should I complain?

You should make your complaint under stage 1 of this procedure as soon as possible after your case is closed, and at the latest within four weeks of the date on the [Report of adjudication](#). If you wish to go on to stage 2, you should write to us within two weeks of receiving our response at stage 1. After these time limits it will be too late, and your complaint will be rejected.

Note: this formal procedure applies to complaints we receive after considering a case. But if you believe your case is being mishandled, please do not wait until then – tell us straight away and we will try to assist immediately.

What will happen if my complaint is upheld?

If we decide that we mishandled your case, we will recommend appropriate action to put matters right.

Contact details

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