

## Be the Adjudicator - Ben Beadle

### The Key Points

- Deposit protection ensures fairness
- The adjudication process is not for everybody
- It's about applying common sense in decision making. Adjudicators are fair and use their experience in making decisions
- 2-3 people adjudicate
- Decisions are final and binding
- Counterclaims can not be taken into account and these must go to Court
- Adjudicators can not favour anybody and they can not look for evidence that is missing
- The onus is on the landlord to have evidence for their claims
- It is vitally important that tenants engage in the process
- TDS are introducing a new site that allows tenants to manage their own deposits
- TDS forecast significant growth in the number of deposits held over the next few years

### In terms of decision making the adjudicators consider things like:

- Is the landlord at a loss
- Wear and tear

### The remedies available to them are:

- Making good
- Replacing
- Compensation

### The issue of cleanliness

Cleanliness is a very subjective topic. There is no expectation that the tenant will return the property in a cleaner state than it was found unless there is a special clause included in the tenancy agreement

### Vulnerable clients

Adjudicators are even handed in their approach. In the interests of justice clients who are vulnerable or need additional support are catered for.