

# "How To Avoid Losing Deposit Disputes With Departing Tenants..."

## *One Landlord Lost A Massive £926.56 In A Single Deposit Dispute...*

### "Make Sure You Protect Your Landlords' Interests and Your Letting Agency's Reputation"

Dear Property Management Professional,

Since the TDP legislation was introduced many agents have had their fingers burnt with deposit disputes that have unexpectedly gone against them. And yet those situations could have been avoided. In a moment I'll explain how our new and improved '**Mastering Inventories, Deposits and Damage Disputes**' course can **help you protect your agency**, but first let me tell you about the case mentioned above...

The landlord's claim for £1,525.23 against damages was disputed by the departing tenant. Although check-out procedures were carried out, the original check-in procedure was inadequate as there was no inventory at all; this led to ambiguities about the property's original condition which could not be proved. As a result the landlord's claim was **cut down by 60.75%** to just £598.67. That's a **huge loss of £926.56!**

Now you and I know the adjudication may have gone more in the landlord's favour if there had been an absolutely water-tight inventory and check-in and check-out procedure that everyone understood and followed... it's the type of procedure that should be done for every single AST property, isn't it?

But, the adjudication could still go against you even if you have what appears to be a quality inventory and reporting process. It is not just a matter of having a good inventory list; it is down to **understanding how adjudication works**. Knowing the 'hot buttons' that can turn a decision against you is crucial - especially if you've already come to a partial agreement about retaining some of the deposit...

#### ***Picture this situation:***

A tenant is about to vacate a property you manage. Upon inspection you discover damage that needs to be rectified. You agree with the tenant the damage is down to them and some of the costs can be taken from their deposit, but they argue against covering the full repair bill.

You tell your landlord you've agreed some recompense but the remaining claim has to go to adjudication. Your landlord now expects you to retain the figure already agreed with the tenant; this could be hundreds of pounds. Your case goes to adjudication but the ruling goes against you - simply because the adjudicator was not satisfied with part of your reporting procedure.

What's worse, the decision rules that the full deposit must be refunded so **you don't even get the figure you had agreed with the tenant beforehand**. (This happened to one of our clients). You may now have to stump up the sum previously agreed with the tenant... your landlord expects it. That's potentially money straight off your bottom-line profit!

Too Many Landlords Suffer Unacceptable Losses Due To Lack of

## Understanding of Inventory Procedures & Adjudication Processes...

Unfortunately a less than professional approach to inventories can cost money and damage your reputation. Let me give you another ADR example, where a lack of an adequate inventory procedure caused a substantial loss for a landlord. This is taken from the case studies my research revealed (you get to hear about - and learn from - many others during the course):

There was **no check-in inventory** and, in this case, no check-out report either. This was a highly emotive case exacerbated by the lack of documentation and procedures. The final award was made in the tenant's favour and the landlord lost **74.97% of his damages claim**.

### ***In complete contrast is this case:***

A thorough check-in inventory and check-out report was made. The clarity of the reports allowed the ICE to understand the exact condition of the property at the start and end of the tenancy. As a result, **the landlord was awarded the full deposit** to make repairs; this was actually 197.44% - **almost double** - the amount he was claiming. This is an unusual situation – but it clearly demonstrates the crucial importance of correctly formatted inventories and structured procedures.

Even where there is an inventory and check-in/check-out procedures have been carried out, if the procedures don't follow the same structure it can make comparisons difficult. **In one such case it caused the landlord to lose 34.38% of his claim.**

Let me ask you something... as part of your check-in procedure do you take photographs or video the property? I'll bet, like me, you think that provides crucial evidence - and you're right. But whilst some adjudicators are happy with the quality of supplied photographs and DVD evidence, some are not. *Why not?*

It's vital your staff know what adjudicators expect - and knowing how to produce reliable and robust DVD and photographic evidence, that won't let you down, as well as a water-tight inventory is all part of the process.

The point is, there is a science behind a well constructed inventory. But **this course covers far more than just the basic skills needed**. You see, since we first introduced the Inventory Course in 2004, we have studied different ADR examples, advised agents handling dispute cases and **gained a clear understanding of what can cause an adjudication to go against the landlord**.

And, in this new, updated and improved 2010 inventory course, **Mastering Inventories, Deposits and Damage Disputes**, we share this essential knowledge with you; we clearly identify what you can do to make sure you do not unnecessarily risk losing any disputes you are involved in. This new, information packed 1-day course reveals:

- Purpose of an Inventory and its role in the letting process
- Independence and accuracy
- Best practice and achieving consistency
- Legal framework including Criminal and Civil Law issues
- Crucial tenant check-in and out procedures
- Terms of business, duty of care & rights of the inventory provider
- Liabilities
- Safety law and practice
- Rights of access
- Copyright and data protection
- Damage
- Assessing damage, wear and tear
- Abandoned property and goods
- **Handling disputes and Adjudication** – recognising why you might lose, but more importantly **how to win**

"As always the course was clear, direct + to the point - it is so useful to have someone to sort through the issues + present them clearly"

*Inventories, Deposits and Damage Disputes*  
Jenny Clark, Eaton-Terry Clark Property Management, Exmouth

You have a responsibility to yourself; your landlords and your agency to get it right. That's why making sure everyone involved in rentals within your agency understands the crucial importance of

inventories and the best check-in and check-out procedures is paramount.

And attending this course is the best way to protect yours and your landlord's interest. Eliminate any risk of errors and mistakes by making sure *everyone involved* attends this extremely valuable course; **'Mastering Inventories, Deposits and Damage Disputes'**.

### Reduce Your Delegate Rate - Simply Book Online... Save £30

When you visit **www.tfponline.co.uk** to reserve your place(s) you get a **generous £30 off** our normal phone-line booking price of £187<sup>+VAT</sup>... you pay **just £157<sup>+VAT</sup>**. And... **you do not have to pay online...**

Many people are wary about paying online. I understand that and it's why, when you reserve your seat(s) at **www.tfponline.co.uk**, you can choose to pay immediately by credit card or request an invoice. Although the invoice must be settled before attending the course, **booking online does mean you secure your place(s) before your preferred venue sells out.**

### More Savings for You...

Now - our experience and studies of TDP cases over the last 6 years has emphasised how important it is that all agency staff understand this process; whether they are involved in taking the inventory before or after tenancy, writing the check-in or check-out reports or managing an external inventory service company.

And the most efficient way to get everyone on your staff fully cognisant is to let them learn first-hand by attending this course. After all 2<sup>nd</sup>-hand knowledge passed from one person to another is not always accurate and a simple mistake or misunderstanding could create costly problems for your agency. That's why I've decided to offer further savings when you reserve a 2<sup>nd</sup> and subsequent place for your staff on the same course...

### Save A Further 20% On Your 2nd and Subsequent Delegate Seats...

So, let's recap on the extremely low cost of attending **'Mastering Inventories, Deposits and Damage Disputes'**... especially when you consider the hundreds of pounds it could save you on each and every ADR case...

	<b>Phone-line Booking Delegate Rate</b>	<b>Online Reduced Delegate Rate</b>
<b>'Mastering Inventories, Deposits and Damage Disputes'</b> 1 Day: 1 <sup>st</sup> Delegate:	£187.00 <sup>+VAT</sup>	£157.00 <sup>+VAT</sup>
<b>2<sup>nd</sup> &amp; subsequent delegates</b>	£149.60 <sup>+VAT</sup>	£125.60 <sup>+VAT</sup>

These great value prices include all training, course notes and refreshments, including lunch.

Of course, **you do not have to send everyone on the same date** - although your additional 20% saving only applies to bookings at the same venue.

These 1-day courses are packed with important and relevant insights you and your staff need to know about mastering inventory and check-in / check-out systems, including astute advice on implementation and handling adjudications, as these delegates found...

"Having been in the industry over 2 years, I found the course a great training aid to my development & understanding of inventories"

*Inventories, Deposits and Damage Disputes*  
Leigh Robinson, Town & Country Lettings, Plymouth

"Very informative and interesting, many issues were raised and solutions given that I had not thought of"

*Inventories, Deposits and Damage Disputes*  
Jo Cox, Breeze Residential (Bexley) Ltd, Bexley

## 6 Hours Towards Your CPD Requirements For 2010...

As you'd expect our courses count towards your CPD requirements for most of the relevant bodies, including RICS, NAEA and ILEX. So by attending this course you immediately cover 6 hours of your requirement for this year.

### When and Where...

If you've attended our courses before you know we aim to make attending as easy as possible. That's why they are held in **15 venues** scattered throughout the country so you gain the real benefit without the hassle of travelling to London, if that is not convenient for you. *Yes! We do have London venues as well!*

Venue	Date	Code	✓
Birmingham	Wed 13/10	INBI	
Bristol	Tue 9/11	INBR	
Cambridge	Thu 14/10	INCA	
Central London	Thu 11/11	INCL	
Conwy	Wed 3/11	INCY	
Exeter	Wed 6/10	INEX	
Heathrow	Tue 5/10	INHE	
Manchester*	Thu 4/11	INMA	
Newcastle	Tues 26/10	INNE	
Nottingham	Thu 28/10	INNO	
Sevenoaks	Wed 10/11	INSE	
Swansea	Thu 7/10	INSW	
Waltham Abbey	Thu 21/10	INWA	
Winchester	Tue 12/10	INWI	
York	Wed 27/10	INYO	

\* Warrington

Choose from these locations and dates for the **'Mastering Inventories, Deposits and Damage Disputes'** course. Mark off the venues and dates that suit you and your staff best, so you have a note of them after you've booked your places.

...I am confident you'll be delighted with the content and delivery of all the material we have gathered for you. But I like to be absolutely sure you have no concerns about attending, which is why all our courses come with a...

### 100% Satisfaction Guarantee

If, *for any reason*, you are not completely satisfied with the content and quality of any of our courses you may ask for a **full and courteous** refund.

### How to Reserve Your Seats

1. If you haven't already activated your secure online account on our website, please find your activation code on the 2010 Lettings Legislation Courses listing that came with this letter.
2. Visit [www.tfponline.co.uk](http://www.tfponline.co.uk) (open 24/7/365) to reserve your places and choose your preferred payment method.

*Or*

3. Phone to book and pay by credit card (call 01258 85 85 85) but please, remember, you **save at least £30 per delegate when you book online.**

With kind regards,

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**David d'Orton-Gibson**

**P.S.** A simple slip in your inventory procedures could lose an ADR for your landlord, as the cases I've described in this letter show. Avoid making mistakes like these that could cost you dearly... my **100%** money-back **guarantee** means you can be confident about attending this crucial new and improved course on **'Mastering Inventories, Deposit and Damage Disputes'**.

**P.P.S.** Remember you **get a further 20% saving** on your 2<sup>nd</sup> and subsequent delegate places booked at the same venue. That's a total potential saving of £61.40 - read this letter for details.



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