

Unipol Code Tribunal - Chair's Action

19th January 2017

Shields Student Homes

Details of the Complaint

This is a follow up to the Tribunal which took place on 14th November 2016 regarding Shields Student Homes failing to protect and return a number of former tenants' deposits. The complaint also related to Shields not responding to correspondence from Unipol, tenants or other representatives. Full details of the previous Tribunal can be seen on the following link:

[https://www.unipol.org.uk/documents/tribunals/nottingham/shields-chair-s-action-tribunal-website-summary-\(4.aspx](https://www.unipol.org.uk/documents/tribunals/nottingham/shields-chair-s-action-tribunal-website-summary-(4.aspx)

Other Matters that the Tribunal Took into Account

Unipol wrote to Shields with the results of the Tribunal giving a 7 day deadline to respond to Unipol and to repay the deposits to the complainants. No response was received and the former tenants confirmed that the deposits were not returned.

Decision

As Shields did not pay back the deposits to the complainants or respond to Unipol, the Tribunal felt that this was a clear breach of clauses 7.00 and 7.01 of the Unipol Code:

“Deposits are administered efficiently and reasonably by the owner or nominee and are not withheld for any purpose other than for which they were levied”

“Where a landlord/agent has established an Assured Shorthold Tenancy, they must ensure that any deposit is held in accordance with the tenancy deposit scheme legislation, set out in the Housing Act 2004, and in accordance with regulations made both under the Act and by the relevant scheme operator” of the Unipol Code.

As a result of these breaches, Shields Student Homes were suspended from the Unipol Code.

The Tribunal were disappointed that a previously reputable property management business had failed to uphold their legal obligations, as well as their obligations under the Unipol Code.

Follow up Action

The Tribunal stated that Shields must remove all reference to the Unipol Code from their website within 48 hours.

Unipol agreed to support the complainants in taking legal action against Shields to seek recompense and to support other former Shields tenants who had also experienced issues with their deposits.