A guide to negotiating with your landlord or letting agent



Suzy Hershman
Head of Dispute Resolution

> We offer a free and impartial alternative dispute resolution service to resolve disputes between the agent member and their tenant over the return of the deposit at the end of the tenancy.
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> The key timeframes for dispute resolution are set by the legislation, which means there will be a delay in returning the deposit whilst the adjudicator reviews the case. Therefore it is always beneficial for both parties to resolve their differences before they escalate to needing adjudication or court.

SUZY'S TIP: We strongly recommend that your landlord or agent meet with you to discuss issues before using formal dispute resolution. Most issues can be resolved through communication.

How to approach negotiation

We recommend to our landlord and agent users that they speak to you to avoid a dispute occurring. You can also help to avoid a dispute by following our tips:

- The best way to negotiate is face to face. Regardless of how you do this, you should aim to ensure that the process is documented by you or your landlord/agent.
- Make your position on the issues clear to the landlord/agent so that they can be addressed quickly.
- Ask your landlord or agent to clearly explain why they are making their deductions. They should take wear and tear into consideration, and should not end up in a better position at the end of the tenancy than at the beginning.
- By law, the deposit remains to be your money, and at the end of the tenancy by default you should receive your deposit back in full. It is up to the landlord or agent to prove their claim on the deposit. However, if the landlord or agent can present you with persuasive evidence before the dispute goes to the formal process, this can save you both time.

Suzy's top tips for smooth negotiation

Suzy Hershman, Head of Dispute Resolution at mydeposits offers some helpful tips for conducting a smooth negotiation.



- Figure out ahead of time exactly you want to happen. Are you willing to compromise? What's your bottom line?
- Try to structure the negotiation as a mutual attempt to solve a problem.
- Try to be flexible when arranging to meet with your landlord or agent. Arrange a quiet time and place, preferably in a neutral location, where you can both express your concerns and work out an agreement.
- Listen to the landlord/agent and don't interrupt, even if some points are not true or some opinions are inflammatory. Letting them express their feelings shows you are willing to listen and is an essential first step toward an eventual understanding.
- State that you understand and respect the other party's key points, even if you strongly disagree with their position.
- Avoid personal attacks. Even if true, it will only raise the level of hostility and make settlement more difficult. Try to stay calm and not to react impulsively or emotionally.
- If you reach an understanding with your landlord/agent make sure that it is written down and ensure that you both sign in agreement.