Justly Guide: "My Landlord Won't Return My Deposit"

In Guernsey, disputes over deposits are among the most common landlord-tenant issues. If your tenancy has ended and you're struggling to recover your deposit, this guide helps you take action — calmly, clearly, and legally.

Step 1: Check Your Tenancy Agreement

Start with your signed contract. Look for:

- The deposit amount
- Conditions for withholding the deposit
- Notice period rules
- Any terms about cleaning, damage, or inventory

Screenshot or save the relevant clauses — they're key to your case.

Step 2: Review the Condition of the Property

Ask yourself:

- Did you leave the property clean and undamaged?
- Were there any pre-existing issues noted at check-in?
- Do you have photos or a check-out inventory?

Photos or written communication are especially helpful if there's a dispute.

Step 3: Contact Your Landlord — In Writing

Politely request your deposit back:

- Include your move-out date
- Refer to the terms of your tenancy
- State that you believe the deposit should be returned in full
- Request a response within 7 days

Use email or letter — not phone or text — to keep a record.

Step 4: Understand Valid Reasons to Withhold a Deposit

Landlords can **only** keep part (or all) of a deposit for reasons like:

- Unpaid rent
- Unreasonable damage (beyond wear and tear)
- Missing items from inventory
- Cleaning costs (if clearly stated in your agreement)

They **cannot** withhold it just because they feel like it — and they must explain any deductions.

Step 5: Negotiate — or Ask for a Breakdown

If your landlord proposes deductions:

- Ask for a written breakdown with evidence (e.g. receipts, photos)
- You can challenge unreasonable costs (e.g. £300 for minor cleaning)

Keep the conversation respectful — aim to settle things without escalating.

Step 6: Escalate if Necessary

Still unresolved? You have options:

- Write a final letter stating that you'll take formal action unless the deposit is returned within 14 days
- Consider small claims court if the amount is under £10,000
- Gather all evidence: tenancy agreement, photos, messages, etc.

Justly can help guide you through the small claims process.

Step 7: Know Your Rights

In Guernsey:

- There's no mandatory deposit scheme (unlike the UK), so deposits are paid directly to landlords
- But tenants still have rights under contract law
- You can seek resolution via Petty Debts Court if informal steps fail (See elsewhere on this site)

Legal support may be available through Justly or Citizens Advice.

Step 8: Prevent Future Issues

For your next rental:

- Take dated photos at check-in and check-out
- Request a written inventory
- Ask for terms on deposit return in writing

Prevention is the best protection.

Need Help Now?

Justly offers:

- Step-by-step small claims guidance
- Template letters for deposit disputes
- Access to local legal insight without high fees