

5723 REPAYMENT OF SECURITY DEPOSITS AND MOVE-OUT INSPECTIONS

- 5723.1 The amount of the security deposit to be refunded shall be based on the following:
- (a) Actual unpaid repair costs for damages to the premises beyond normal wear and tear;
 - (b) Total rent delinquency charges;
 - (c) Total unpaid service charges; and
 - (d) Proper notice by the tenant to the Project Owner of intent to vacate in accordance with § 5723.5 of this chapter.
- 5723.2 If the security deposit is insufficient to cover those charges, the tenant shall be billed for the difference.
- 5723.3 If there are no charges, or if the charges are less than the security deposit, the difference shall be refunded to the tenant.
- 5723.4 In order to determine the amount of security deposit to be returned to the tenant, the Project Owner shall conduct a move-out inspection with the departing tenant.
- 5723.5 When tenants have provided thirty (30) days' notice of intent to vacate their unit, the Project Owner shall notify the tenant in writing of the date and time of the move-out inspection at least ten (10) days before the intended inspection.
- 5723.6 If it is discovered that repairs to the unit are needed due to the tenant's abuse or neglect, the Project Owner shall assess the tenant for the cost of the repairs.
- 5723.7 At the time of the move-out inspection, the tenant shall be required to furnish a forwarding address for the purposes of either forwarding the tenant's refund check, or a bill for additional monies due. The Project Owner shall provide a written statement of deficiencies, and the amount of the charge for repair, to the tenant, and shall refund any security deposit due within forty-five (45) days of termination of tenancy.
- 5723.8 A tenant vacating a unit shall be eligible for a refund if that tenant has a credit balance after any charges have been deducted from the tenant's account.
- 5723.9 Tenants who vacate a unit without giving proper notice of intent to vacate shall relinquish any right to possession of the unit or the security deposit.
- 5723.10 The Lessee shall return all keys and other entry devices whenever the unit is vacated. Failure to return keys or other entry devices will result in a charge in

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accordance with a schedule of charges as posted in the property management office.

SOURCE: Final Rulemaking at 64 DCR 12956 (December 22, 2017); as amended by Final Rulemaking published at 66 DCR 6831 (June 7, 2019).