

## **1938      SECURITY DEPOSITS**

- 1938.1    A housing provider may collect a security deposit from the tenant not to exceed one (1) month's rent.
- 1938.2    The security deposit may be collected from the tenant by the housing provider as follows:
- (a)        In full, prior to the lease effective date; or
  - (b)        Under another schedule agreed to in writing by both the tenant and housing provider.
- 1938.3    The security deposit shall be deposited in an interest bearing account and earn interest as provided for by District law.
- 1938.4    Subject to District law, after the tenant moves from the unit the housing provider may use the security deposit plus accrued interest as reimbursement for any unpaid rent payable by the tenant or other amounts which the tenant owes under the lease.
- 1938.5    Within the time period established by District law, the provider shall give the family a written list of all items charged against the security deposit and the amount of each item. After deducting the amount due the provider, the provider shall refund to the tenant the full amount of any unused balance.
- 1938.6    If an applicant determines that he or she is unable to pay the security deposit, not to exceed one (1) month's rent, the applicant may apply to DCHA for a repayable advance not to exceed the difference between thirty percent (30%) of the applicant's monthly income (or twenty-five percent (25%) in the case of elderly or handicapped) and the amount of the security deposit required.
- 1938.7    DCHA may take into account the applicants other resources in determining the amount of advance it shall provide.
- 1938.8    The advance shall be provided to the housing provider, on behalf of the tenant, and shall be conditioned on the applicant entering into a repayment agreement with DCHA.
- 1938.9    DCHA shall establish a reasonable repayment schedule for the advance which is affordable by the applicant, and may defer payment of the advance until the time the tenant vacates the assisted unit for which the advance was provided, or the time when assistance under the program is terminated.

SOURCE: Notice of Final Rulemaking published at 33 DCR 4396, 4431 (July 25, 1986); as amended by Notice of Final Rulemaking published at 36 DCR 4472, 4482 (June 23, 1989).