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## How to Protect Your Security Deposit

Authored By: Northwestern Legal Services

### Information

Your security deposit is not rent.

It is held by your landlord to protect against damages to the apartment or unpaid rent when you move out



### GENERAL AMOUNT OF SECURITY DEPOSITS:

Security Deposits should **not** be more than:

- TWO months' rent the during first year
- ONE month's rent after you have lived in the apartment for one year

Security Deposits are usually equal to ONE month's rent.

## TO PROTECT YOUR SECURITY DEPOSIT

- Before moving in, examine the property for any damages that are already there. Use the checklist below as a general guide.
- On a separate paper, list all the damages you find.
- Sign and date the paper; have your landlord do this also. **Keep a copy of this paper.**
- **KEEP RECEIPTS FROM YOUR SECURITY DEPOSIT PAYMENT AND FROM ALL RENT PAYMENTS, INCLUDING THE ONE FOR THE LAST MONTH.**
- Ask your landlord for a written receipt whenever you give him cash. If you pay with a money order, keep the receipt portion of the money order.
- If you pay by check, the cancelled check will be your receipt.
- When you return your keys to your landlord give him/her and address **in writing** where he should send your security deposit.
- Immediately after moving out, look over the apartment with your landlord and write down any damages which are **not** the result of normal wear and tear.

Your landlord can only deduct money from your security deposit to pay for the damages on the second list if they were **not** on the first list.

## BEFORE YOU MOVE IN, CHECK:



- All major appliances (stove, refrigerator, hot water tank, furnace, toilets, faucets ... do they all work?)
- All furniture (chairs, sofas ...)
- Wiring and outlets (check for any bare wires and other danger signs)
- Windows and screens (cracks, holes, broken locks ...)
- Doors (Do they open and close easily? Do all the locks work ...)
- Walls and ceilings (any damage to paint, wallpaper, plaster...)
- Emergency exits
- Any evidence of insects or rodents (poisons, traps, eggs ...)

## RETURN OF YOUR SECURITY DEPOSIT

IF ...

- you have given your landlord a forwarding address in writing

**THEN...** within 30 days, your landlord must ...

- return your deposit in full, **OR**
- give you an itemized list of the damages you caused, subtract the cost of repairing these damages from your deposit, and return the rest to you.

If you are having problems with your landlord, contact the [legal services program in your area](#).

*We have attempted to insure the accuracy of the information in this Pamphlet at the time it was created or revised. However, the law does change, sometimes quickly and unexpectedly. Therefore, you should consult an attorney before taking or refraining from any action based on the information.*

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