

SECURITY DEPOSITS

Security deposits are monies the tenant pays the housing provider as security for carrying out the tenant's duties in a lease agreement. The deposit should be given to the housing provider at the time the tenant signs the lease agreement or pays the first month's rent. The landlord must give you, in writing, the terms of your security deposit (usually included within the lease). Keep a copy for yourself and make sure to get a receipt.

To assure the return of all of your security deposit (plus interest if applicable), you should take the following precautions:

- Before signing your lease, you should inspect the property with the landlord and a witness. Write down all existing damages. Both you and the landlord should sign and date the list. You may also want to videotape or take photographs to document your descriptions. This list will prevent the landlord from trying to charge you for these damages when you move out. You should use a *Walk Through* form which is available from our office or website.

- At least 30 days before you intend to vacate, you should send a letter to the landlord telling him/her when you are leaving. Keep a copy for your files. If you must move without giving the usual notice, get the landlord to agree in writing to let you move out early. Otherwise the landlord may keep your deposit for inadequate notice.

- The landlord must inspect your rental unit within three days before or three days after you move. Notice of the inspection must be sent to you ten days before the inspection. You have the right to be present at the inspection.

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In the District of Columbia:

- In the District of Columbia a landlord cannot charge you more than one month's rent as a security deposit, and it can only be collected once.
- The landlord must put your security deposit into an account that earns passbook value for a year. This interest must be given to you when you move if you have lived in the unit at least 12 months.
- Within 45 days after you move out, the landlord must either return all your security deposit plus interest or notify you in writing that all or part of the deposit will be used to cover expenses.
- The landlord must send you an itemized list of any repairs or expenses that are taken out of the security deposit.
- After the first notification, the landlord must return the balance of your deposit, if any, within 30 days.

In Virginia:

- In Virginia (and Maryland) the maximum amount a landlord can ask for a security deposit is two months rent.
- If the landlord holds your security deposit for thirteen months or longer, then the deposit must be returned with an interest equal to 2.5% for every six months the money was held.
- Landlords must notify a tenant in writing within 30 days if any part of a deposit is to be withheld, and include a list of items for which the money was taken from the deposit.

