

Security Deposits

How much can I be charged for security deposit?

- The landlord can charge two month's rent for security deposit.
- After the 1st year of your lease, the landlord can only keep one month rent for security deposit. After the 1st year of your lease, you can send a letter requesting any security deposit more than one month.

How do I get my security deposit back?

You can only request your full security deposit after you move out.

- **Before you move out**
 - Send landlord a letter with the date that you are moving. Most leases require 30 day notice before leaving. Keep a copy.
 - Leave the unit as clean as possible.
 - Take pictures of each room.
 - Do a walkthrough, if possible.
- **After you move out**
 - Return the keys to the landlord in person or by certified mail.
 - Send landlord a Security Deposit Request Letter (see reverse). Keep a copy.
 - Your landlord has 30 days to respond to your request in writing.
 - If you disagree with your landlord's response, you can sue for the amount of your security deposit.
 - If your landlord does not respond at all, you can sue for two times the amount of your security deposit.

How do I sue for my security deposit?

Be careful! Before you sue your landlord, be sure that you do not owe for rent or damages higher than your security deposit. Here is the process:

- **Go to Municipal Court at 1339 Chestnut Street, 10th floor**
- **Ask to File a Small Claims Complaint.** State how much money you are claiming. Include exhibits such as the lease and request letter.
- **Ask to File a Petition to Proceed In Forma Pauperis (IFP).** If the IFP is granted, you will not have to pay filing fees.
- **Choose type of service.** Pay a service fee or choose private service, which means a person who is over 21 and not a family member must serve the court papers on the landlord.



Security Deposit Request Letter

_____ (Former Landlord's Name)

_____ (Former Landlord's Address)

_____ (Former Landlord's City, State and Zip Code)

Dear Sir or Madam:

On _____ (Date of Move) I moved out of the unit I formerly rented from you, located at _____ (Address of Unit). I removed my belongings and left the unit in the same condition as it was when I first moved into it, besides normal wear and tear.

Therefore, I am writing to ask you to return my entire security deposit of \$_____. Please mail it to me at my new address, which is:

_____ (Your Name Printed)

_____ (Your New Address)

_____ (Your City, State and Zip Code)

I will expect to receive my deposit within 30 days. Thank you.

Sincerely,

_____ (Date)

_____ (Your Signature)

Send letter Certified Mail, Return Receipt Requested.

Certified Mail No: _____ (Fill in from Post Office Receipt)