

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio

www.communitylegalaid.org

Need help with moving out?

Need help with moving out and getting your security deposit back?

When you rent a property, you may be asked to pay a security deposit before you move in. When you move out of this property, you should be able to get that money back. But there are some things you need to know (and do) in order to get your security deposit back.

1. You must be up-to-date with your rent and payments
2. You must give enough notice that you plan to move out, which should be listed in your lease
3. You must move out and return your keys by the date you tell your landlord you will be out by
4. Your rental unit must be clean and in good condition with no more than the usual wear and tear
5. You need to give your landlord your new address so they can send your money there

If you follow all these rules, then within 30 days of moving out, you should get your security deposit back from your landlord, or a written record of what they used your security deposit for (one of the four items listed above).

Who is responsible for what?

The longer you have lived in a home, the more wear and tear can be expected to carpets, floors,

and walls. When you rent your home, you are responsible for repairing some things, and your landlord is responsible for repairing others. The chart below can help with this.

Things renters are responsible for:

- Cigarette burns on curtains or carpet
- Broken tiles in the bathroom
- Large marks or holes in the wall
- Doors coming off their hinges
- Rips in carpet or stains from pets
- Water damage from hanging plants
- Water stains caused by windows or doors left open during rain

Things landlords are responsible for:

- Curtains or carpets faded by sun
- Water stains in bathroom
- Minor marks on or nicks in the wall
- Light dirt or spotting on carpet
- Few small tack or nail holes in the wall
- Rugs or carpets worn thin by normal use
- Faded paint
- Dark patches of ingrained soil on floors
- Any damage that existed when you moved in

If you are responsible for something and don't fix it, your landlord can pay for it using your security deposit. They must charge you a fair amount, and they can't charge you to replace something if repairing it would work.

What if my landlord doesn't give my security deposit back to me?

If you don't get your security deposit back within 30 days of moving out, ask your landlord (in writing) why and what your money is being used for. Make sure you give your landlord an address where they can send your money. You can send this as an email, text message, or a letter sent by certified mail. This way, you have a record and can prove you asked them.

When you hear back from your landlord, if they don't have a good reason for keeping your money, write them back, explaining why you think they shouldn't have used your money that way and asking for your money back.

If you still don't get your money, or if you don't hear anything back from them, write them again to let them know you are asking for it one more time. If they still don't send you your money, you can file a lawsuit against them in small claims court. You can sue them for twice as much as they

keep from you. You can use all these records as proof in court.

Cleaning checklist: Get ready to move out

Before you move out, clean your home. Be sure you can prove that you cleaned. Take pictures or ask your landlord (or someone else) to walk through with you.

Here are some suggestions for cleaning:

Kitchen:

- Clean and defrost the refrigerator and freezer
- Clean cupboards, sinks, sile, woodwork, and wall marks
- Clean the stove, hood, under burners, controls, burner rings, and drip pan
- Clean the oven and broiler
- Mop the floors and vacuum the carpets

Common rooms & bedrooms:

- Mop the floors and vacuum the carpets
- Shake out or clean the drapes
- Clean fingerprints off switches and walls
- Clean windows on the inside
- If you rented a furnished unit, polish furniture and spot clean upholstery as needed

Bathrooms:

- Clean the tub/shower, sink, toilet, and medicine cabinet
- Clean the floor
- Clean cupboards, counter, woodwork, and wall marks
- Clean windows on the inside

Yard:

- Mow lawn
- Remove trash

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<http://www.communitylegalaid.org/securitydeposits>

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