**Security Deposits**

Prior to moving into a new unit, be sure to inspect and **document in writing** any damage or issues **with the apartment**. The landlord is required to do a statement of conditions and to provide a receipt for payment. **You and your new landlord should sign off on the inspection.** Doing the **pre-move** inspection will safeguard you against being assessed for property damage that is not your fault and holds the landlord accountable for repairs that he/she must make to your apartment. It is also recommended that you take pictures or video prior to moving in, further verifying the landlord’s statement of conditions.

If you have paid a **security deposit, the** landlord is obligated by Massachusetts law to place that security deposit into an interest bearing bank account. Within 30 days of the start of your tenancy, your landlord must provide **you** a statement as to what banking institution he/she has placed the security deposit.

**Getting Your Security Deposit Back**

Within thirty days of you vacating the unit, your landlord is required to return the security deposit minus any charges for damages and unpaid rent.  The landlord must provide actual receipts or estimates and must sign the document itemizing the deductions under the pains and penalties of perjury.

Prior to moving out of your apartment, best practice is to ensure that you have cleaned the apartment to be in as clean if not cleaner **condition** than when you moved into the unit. Wipe down walls, clean windows, sweep & wash floors, clean out cabinetry and drawers and vacuum & steam clean rugs **in** all rooms in the unit. This will also ensure that you have gathered all of your belongings. If you have more than a few picture holes or gouges in the walls, spend a few dollars for some wall patch and do the repairs yourself. Should you have furniture, clothing or household items you will not be taking with you, consider giving the items away for free and posting on websites such as [www.craigslist.org](http://www.craigslist.org) under (FREE) or [www.freecycle.org](http://www.freecycle.org). If you do not remove all of your belongings, the landlord will have to pay to have your items removed which may be deducted from your deposit.

Remember, your relationship with your landlord makes a big difference as to whether he/she will be a reference for you in future housing applications and ultimately your ability to secure better apartments.

And lastly, be sure your landlord has your new address so that he/she may issue your security deposit (+ interest) back to you. The better the condition your unit **is in** at the end of the tenancy increases the chances that you will get your full security deposit back which you will then be able to put toward your new unit.

See the back of the page for more helpful information

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**Landlords may not use the tenant's security deposit to cover the costs of ordinary wear and tear. Here are some examples of wear and tear versus damage or excessive filth:**

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| **Ordinary Wear and Tear:**  **Landlord's Responsibility** | **Damage or Excessive Filth:**  **Tenant's Responsibility** |
| Curtains faded by the sun | Cigarette burns in curtains or carpets |
| Water-stained linoleum by shower | Broken tiles in bathroom |
| Minor marks on or nicks in wall | Large marks on or holes in wall |
| Dents in the wall where a door handle bumped it | Door off its hinges, damages doors, broken/ripped screens, broken locks |
| Moderate dirt or spotting on carpet | Rips in carpet or urine stains from pets |
| A few small tack or nail holes in wall | Lots of picture holes or gouges in walls that require patching as well as repainting |
| A rug worn thin by normal use | Stains in rug caused by a leaking fish tank |
| Worn gaskets on refrigerator doors | Broken refrigerator shelf |
| Faded paint on bedroom wall | Water damage on wall from hanging plants |
| Dark patches of ingrained soil on hardwood floors that have lost their finish and have been worn down to bare wood | Water stains on wood floors and windowsills caused by windows being left open during rainstorms |
| Warped cabinet doors that won't close | Sticky cabinets and interiors |
| Stains on old porcelain fixtures that have lost their protective coating | Grime-coated bathtub and toilet |
| Moderately dirty mini-blinds | Missing mini-blinds |
| Bathroom mirror beginning to "de-silver" (black spots) | Mirrors caked with lipstick and makeup |
| Clothes dryer that delivers cold air because the thermostat has given out | Dryer that won't turn at all because it's been over-loaded |
| Toilet flushes inadequately because mineral deposits have clogged the jets | Toilet won't flush properly because it's stopped up with a diaper or an excess amount of paper product |

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*Source: www.nolo.com*