

If you're 60 or over, call your local legal aid office:

Eastern CT	800-413-7796	Western CT	800-413-7797
Hartford Area	860-541-5000	Bridgeport Area	800-809-4434
Stamford Area	800-541-8909	New Haven Area	203-946-4811

If you're under 60, call SLS for help:



Statewide Legal Services
1-800-453-3320
860-344-0380

Search our website for help:



www.ctlawhelp.org

HOUSING

LEGAL SERVICES

SELF-HELP SERIES

Security Deposits

October 2023



We offer free legal help in many areas, including

- welfare,
- SNAP (food stamps),
- divorce,
- child support,
- domestic violence,
- bankruptcy,
- special education,
- nursing home care,
- health insurance,
- eviction,
- foreclosure,
- and more.

See the reverse side for more about legal services.

Before you move into an apartment, the landlord may ask you to pay the first month's rent, a security deposit, and a key or special equipment deposit. They can also charge you up to \$50 (plus inflation costs) for a tenant screening report. You must be given a copy of this report and a receipt showing what the landlord paid for the report. You should not be charged for any other application fees.

When you move out, the landlord must return your entire deposit (plus interest) unless your apartment was damaged. If there is damage to the apartment and the damage was your fault, the landlord can use some or all of the security deposit to pay for repairs.

How much can the landlord charge me for a security deposit?

In Connecticut, the landlord can charge a maximum of 2 months' rent for a security deposit.

If you are 62 years or over, the landlord can only charge an amount equal to 1 month of your rent.

How can I make sure I get my security deposit back?

Before you move in:

- Pay your security deposit with a check or a money order. Don't be afraid to ask for a receipt. Make sure it has the date, amount, type of payment, and who you paid. Take a photo of it, and keep the original copy in a safe place.
- Tell the landlord about problems or damage that was there when you moved in. Take photos and make notes of the problems so you have proof you didn't cause the damage in case you are blamed for it when you move out.

While you live there:

- The landlord must pay you interest on your security deposit each year. If you have never gotten any interest payments, the landlord may owe you for overdue interest, but it may only be a few dollars.

If you're under 60, call us for help:



Statewide Legal Services
1-800-453-3320 or 860-344-0380

Search our website for help:



www.ctlawhelp.org

If you're over 60, call your local legal aid office.

Connecticut Legal Services

www.ctlegal.org

Bridgeport

1000 Lafayette Blvd 203-336-3851
Suite 950

New Britain

16 Main Street 860-225-8678

New London

125 Eugene O'Neill Dr.
Suite 120 860-447-0323

Stamford

1177 Summer Street 203-348-9216

Waterbury

85 Central Avenue 203-756-8074

Willimantic

1125 Main Street 860-456-1761

Greater Hartford Legal Aid

www.ghla.org

999 Asylum Avenue
Hartford, CT 06105
860-541-5000

New Haven Legal Assistance Association

www.nhlegal.org

205 Orange Street
New Haven, CT 06510
203-946-4811

Consumer Law Project for Elders

Free legal assistance to people 60 and over throughout Connecticut who have money/debt problems.

1-800-296-1467

This booklet was produced by Connecticut Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services of Connecticut.

The information in this booklet is based on laws in Connecticut as of 10/2023. We hope that the information is helpful. It is not intended as legal advice. For advice on your situation, call Statewide Legal Services or contact a lawyer.

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You can get a complaint form at the CT Department of Banking website (www.ct.gov/dob). Send your complaint and copies of the documents they ask for to:

Security Deposit Investigator

Connecticut Department of Banking
260 Constitution Plaza
Hartford, CT 06103-1800
Email: dob.sd@ct.gov

Security Deposit Investigator Info, continued

Tel: 860-240-8154 or 800-831-7225, ext. 8154
Fax: 860-278-7014

Special rules for seniors

- People who are 62 years or over cannot be charged more than one month's rent for a security deposit.
- After one year of living in public senior housing, the entire security deposit plus interest must be returned to the senior.

- If something breaks, tell the landlord in writing right away. If the damage is expensive to fix, like toilet overflowing and ruining the floors, talk with the landlord about who is paying for the repair. Try to have that conversation by text or email so you have it in writing. If that isn't possible, then take notes about your conversation and keep them in a safe place.

When you move out:

- Take notes about or photos of problems with the apartment. The landlord must not charge you for normal wear and tear, but you can be charged for damage that you caused.
- If you break something while you are moving out, tell the landlord what happened. **Remember:** Damage is more than just normal wear and tear. For example, small holes from hanging pictures on the wall is normal wear and tear. A big hole from a doorknob hitting a wall after someone pushed it too hard is an example of damage.
- The law says if you break the rules in your lease, the landlord can keep some or all of your security deposit. For example, if your lease says you can't have pets, the landlord might keep some or all of the security deposit if you had a pet anyway and it damaged the apartment.
- When you move out, write a letter asking your landlord to return your security deposit. Your letter must include an address where a check can be mailed to you. This does not have to be your new address – just a place where you can get mail. Make 3 copies of your letter. Mail one copy using *regular mail*. Mail the other letter using *certified mail with a return receipt requested* or send it so you can track it with delivery confirmation. Keep one copy for your records.
- Even if there is a new landlord, you still have the right to get your deposit back. The landlord must return all of your security deposit (plus interest) when you move out unless your apartment has been damaged beyond normal wear and tear.

What should my letter to the landlord say?

To: [Landlord's name, address, and date]

I was a tenant at [address of the place you rented].

My move-out date was [date you moved].

The law says you must return my security deposit, [list the amount you paid] plus interest, within 21 days of receiving this letter. Please mail it to me at this address: [List address where you can get mail].

[Your signature, date, and printed name]

When is the landlord required to return my security deposit?

Usually, the landlord has **21 days** to return your deposit with interest after getting the letter with your new address.

If there was damage to the apartment, the landlord will probably return your deposit with interest minus the cost of repairing the damage. They must also tell you in writing what the damage was and what it cost to fix (or an estimate).

If the landlord doesn't return your deposit or give you a list of repairs within **21 days** of when they got your letter, the law says they must pay you double your security deposit plus interest. However, you may have to sue the landlord in small claims court to get that money.

How do I know if the interest paid is correct?

You can check with the Department of Banking. The rates change every year.

- Call 860-240-8154 or 1-800-831-7225 ext. 8154.
- Visit the Connecticut Department of Banking website at www.ct.gov/dob and click on the link to *Landlord/Tenant*.

Note: The landlord does not have to pay you interest for any month when you were 10 or more days late with your rent and you were not charged a late fee.

What happens to my security deposit if the landlord sells the building while I am living there?

If the landlord sells the building or apartment you live in, the new owner/landlord is responsible for the holding the security deposit you paid when you first moved in. If you find out your building has been sold, you should confirm that the new landlord has your security deposit, and make sure to get their response in writing. Keep in mind that if the rent increases, the new landlord has the right to ask you to increase the amount of security deposit.

What if the landlord doesn't return my security deposit after I move out?

You can sue the landlord in small claims court if

- the landlord doesn't respond to your letter requesting your deposit within 21 days, or
- you don't agree that there was damage to the apartment or with the amount you were charged.

You will have to file court forms and go to court to explain your case. You do not need a lawyer for small claims court. For more information, see the legal aid booklet, *Small Claims Court* or visit the Connecticut Judicial branch website.

You can file a complaint with the Connecticut Department of Banking if

- you gave the landlord your new mailing address using certified mail with a return receipt requested, and
- the landlord does not return your deposit or only returned part of your deposit without giving you the list of repairs.