

2025 -- H 5127

LC000535

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Representatives J. Lombardi, Potter, Stewart, Hull, and Felix

Date Introduced: January 22, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-18-19 of the General Laws in Chapter 34-18 entitled "Residential
2 Landlord and Tenant Act" is hereby amended to read as follows:

3 **34-18-19. Security deposits.**

4 (a)(1) A landlord may not demand or receive a security deposit, however denominated, in
5 an amount or value in excess of one month's periodic rent.

6 (2) If a landlord increases an existing tenant's rent and subsequently increases the existing
7 tenant's security deposit, the tenant may pay a prorata amount of the difference between the
8 previous security deposit held and the new security deposit over a twelve (12) month period.

9 (b) Upon termination of the tenancy, the amount of security deposit due to the tenant shall
10 be the entire amount given by the tenant as a security deposit, minus any amount of unpaid accrued
11 rent, the amount due, if any, for reasonable cleaning expenses, the amount due, if any, for
12 reasonable trash disposal expenses and the amount of physical damages to the premises, other than
13 ordinary wear and tear, that the landlord has suffered by reason of the tenant's noncompliance with
14 § 34-18-24, all as itemized by the landlord in a written notice delivered to the tenant. The landlord
15 shall deliver the notice, together with the amount of the security deposit due to the tenant, within
16 twenty (20) days after the later of either termination of the tenancy, delivery of possession, or the
17 tenant's providing the landlord with a forwarding address for the purpose of receiving the security
18 deposit.

19 (c) If the landlord fails to comply with subsection (b), the tenant may recover the amount

1 due him or her, together with damages in an amount equal to twice the amount wrongfully withheld,
2 and reasonable attorney fees.

3 (d) This section does not preclude the landlord or tenant from recovering other damages to
4 which he or she may be entitled under this chapter.

5 (e) This section does not preclude any landlord who rents a furnished apartment from
6 demanding or receiving a furniture security deposit if the replacement value of the furniture being
7 furnished by the landlord valued at the time the lease is executed is five thousand dollars (\$5,000)
8 or greater, in which instance the landlord may charge a separate furniture security deposit of up to
9 one month's periodic rent.

10 (f) Upon termination of the tenancy, the amount of furniture security deposit due to the
11 tenant shall be the entire amount given by the tenant as a furniture security deposit, minus the
12 amount due, if any, for reasonable cleaning expenses and repair and the amount of physical
13 damages to the furniture, other than ordinary wear and tear. The landlord shall deliver the notice,
14 together with the amount of the furniture security deposit due to the tenant, within twenty (20) days
15 after the later of either termination of the tenancy, delivery of possession, or the tenant's providing
16 the landlord with a forwarding address for the purpose of receiving the furniture security deposit.

17 (g) In the event the landlord transfers his or her interest in the premises, the holder of the
18 landlord's interest in the premises at the time of the termination of the tenancy is bound by this
19 section.

20 (h) No rental agreement shall contain any waiver of the provisions of this section.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would allow a tenant to pay an increased security deposit in monthly increments
- 2 over the course of a twelve (12) month period.
- 3 This act would take effect upon passage.

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