

2015 -- S 0437

=====
LC001590
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2015

—————
A N A C T
RELATING TO PROPERTY

Introduced By: Senators Jabour, Lombardi, Archambault, and McCaffrey

Date Introduced: February 25, 2015

Referred To: Senate 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
2 "Residential Landlord and Tenant Act" is hereby amended to read as follows:

3 **34-18-19. Security deposits.** -- (a) ~~A landlord may not demand or receive a security~~
4 ~~deposit, however denominated, in an amount or value in excess of one month's periodic rent~~ At or
5 prior to the commencement of any tenancy, no landlord may require a tenant or a prospective
6 tenant to pay any amount in excess of the following:

7 (1) Rent for the first full month of occupancy; and

8 (2) A security deposit equal to two (2) months' periodic rent.

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

17 (c) If the landlord fails to comply with subsection (b), the tenant may recover the amount
18 due him or her, together with damages in an amount equal to twice the amount wrongfully
19 withheld, and reasonable attorney fees.

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

3 (e) In the event the landlord transfers his or her interest in the premises, the holder of the
4 landlord's interest in the premises at the time of the termination of the tenancy is bound by this
5 section.

6 (f) No rental agreement shall contain any waiver of the provisions of this section.

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

=====
LC001590
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PROPERTY

1 This act would prohibit a landlord at the commencement of a tenancy, to charge a
2 prospective tenant more than one month's rent and a security deposit equal to two (2) months'
3 rent.

4 This act would take effect upon passage.

=====
LC001590
=====