

2015 -- S 0440

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO PROPERTY - RESIDENTIAL SECURITY DEPOSITS

Introduced By: Senators Jabour, Metts, Pichardo, Lombardi, and Archambault

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.

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

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

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

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

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

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO PROPERTY - RESIDENTIAL SECURITY DEPOSITS

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- 1           This act would allow landlords to withhold from a security deposit paid by a vacating
- 2 tenant, reasonable cleaning and trash disposal expenses they have incurred.
- 3           This act would take effect upon passage.

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