

2016 -- H 7399

=====  
LC003807  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

—————  
A N A C T

RELATING TO PROPERTY - SECURITY DEPOSITS

Introduced By: Representatives Jacquard, and Nunes

Date Introduced: January 28, 2016

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  
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~~  
5 ~~or 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, 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  
13 than ordinary wear and tear, which the landlord has suffered by reason of the tenant's  
14 noncompliance with § 34-18-24, all as itemized by the landlord in a written notice delivered to  
15 the tenant. The landlord shall deliver the notice, together with the amount of the security deposit  
16 due to the tenant, within twenty (20) days after the later of either termination of the tenancy,  
17 delivery of possession, or the tenant's providing the landlord with a forwarding address for the  
18 purpose of receiving the security 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  
2 withheld, and reasonable attorney fees.

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

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

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

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

=====  
LC003807  
=====

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

\*\*\*

- 1           This act would increase the amount of money that a landlord could charge a tenant as a
- 2 security deposit at the start of a residential lease.
- 3           This act would take effect upon passage.

=====  
LC003807  
=====