

# Security Deposits

## How much can I be charged for security deposit?

- The landlord can charge two month's rent for security deposit.
- After the 1<sup>st</sup> year of your lease, the landlord can only keep one month rent for security deposit. After the 1<sup>st</sup> year of your lease, you can send a letter requesting any security deposit more than one month.

## How do I get my security deposit back?

You can only request your full security deposit after you move out.

- **Before you move out**
  - Send landlord a letter with the date that you are moving. Most leases require 30 day notice before leaving. Keep a copy.
  - Leave the unit as clean as possible.
  - Take pictures of each room.
  - Do a walkthrough, if possible.
- **After you move out**
  - Return the keys to the landlord in person or by certified mail.
  - Send landlord a Security Deposit Request Letter (see reverse). Keep a copy.
  - Your landlord has 30 days to respond to your request in writing.
    - If you disagree with your landlord's response, you can sue for the amount of your security deposit.
    - If your landlord does not respond at all, you can sue for two times the amount of your security deposit.

## How do I sue for my security deposit?

Be careful! Before you sue your landlord, be sure that you do not owe for rent or damages higher than your security deposit. Here is the process:

- **Go to Municipal Court at 1339 Chestnut Street, 10<sup>th</sup> floor**
- **Ask to File a Small Claims Complaint.** State how much money you are claiming. Include exhibits such as the lease and request letter.
- **Ask to File a Petition to Proceed In Forma Pauperis (IFP).** If the IFP is granted, you will not have to pay filing fees.
- **Choose type of service.** Pay a service fee or choose private service, which means a person who is over 21 and not a family member must serve the court papers on the landlord.



Philadelphia Landlord/Tenant  
Legal Help Center



For more information:  
267-443-2500  
[www.phillytenant.org](http://www.phillytenant.org)

# Re: Security Deposit

\_\_\_\_\_ (landlord name)

\_\_\_\_\_ (landlord address1)

\_\_\_\_\_ (landlord address2)

\_\_\_\_\_ (today's date)

Dear \_\_\_\_\_ (landlord name),

I vacated the property at \_\_\_\_\_ (address) on

\_\_\_\_\_ (date you moved out).

My security deposit was \$\_\_\_\_\_ (security deposit amount).

I am requesting that you: (check all that apply)

- Return my security deposit to me in a **check or money order**.
  
- Apply my security deposit as a **credit towards a court judgment**.

LT-\_\_\_\_\_

Pennsylvania law requires that you respond to this request within 30 days. Thank you for your attention to this matter.

Sincerely,

\_\_\_\_\_ (your signature)

\_\_\_\_\_ (your name printed)

\_\_\_\_\_ (your mailing address1)

\_\_\_\_\_ (your mailing address2)

\_\_\_\_\_ (your phone)

Send one copy by Certified Mail/Return Receipt Requested. Send one copy by Regular Mail. Keep one copy for your records.