



# FAIR Ordinance - Security Deposits

## How much can my landlord charge as a security deposit in Portland?

- If you have to pay last month's rent when you move in, a security deposit can be no more than half of one month's rent.
- If last month's rent is not required, a security deposit can be no more than one month's rent.
- If a landlord is accepting an application upon conditional approval, an additional security deposit up to half of one month's rent may be required regardless of charging last month's rent. If you re, the additional amount may be paid in installments over a period of up to three months.

## What should I expect when I move in?

- Your rental agreement will contain an itemized list of every fixture, appliance and equipment in your apartment as well as the name and address of the bank where your deposit will be kept.
- Your deposit must be deposited within 2 weeks
- You will get a condition report to fill out and submit to your landlord within 7 days. If you don't do this, your landlord must give you a completed condition report with photos within 17 days. It is better for you to complete this report and keep copies and photographs from when you move in to your rental.

## What Should I Expect While I'm a Renter?

- If security deposit funds are applied to the costs of repair or replacement of something while you live in a rental, your landlord has to provide written accounting or the receipt within 30 days.
- They also must update the Condition Report to reflect all repairs and replacements impacting unit during term of rental agreement, and provide this updated Condition Report to you.

## What about when I Move Out?

- Within five days of receiving or giving notice of lease termination, your landlord has to give you a written accounting of your rent payment history (up to two years) with a fully completed Rental History form.
- Within one week following after you move out, they conduct Final Inspection with you. They must give you at least 24 hours notice of scheduled inspection. You can be present or ask to have your representative present.
- Any remaining security deposit funds and accrued interest should be refunded to you no later than 31 days of move-out.
- Your accounting statement must include info about written notice of rights regarding security deposits and written accounting.

## What Can my Security Deposit Be Used For?

- Repair and replacement of fixtures, appliances, equipment, or personal property itemized in the rental agreement, if malfunction or damage is due to Tenant act or omission.
- Actual costs, reasonably incurred, to repair unit to its condition at beginning of lease
- It can NOT be used for:
  - Routine maintenance
  - Ordinary wear and tear
  - Replacement of appliances or fixtures that failed or sustained damage not caused by Tenant act or omission
  - Repair or replacement of pre-existing damage or malfunctioning appliances, fixtures, equipment, or property as noted in the required move-in Condition Report
  - Any cost that is reimbursed by Landlord's property or comprehensive general liability insurance, or by warranty
  - Cleaning or repairing floors (unless caused by use in excess of ordinary wear and tear, and limited to costs associated with the impacted area only)
  - Interior painting (unless repairing specific damage caused by tenant)

