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Take Steps to Protect Your Security Deposit When You Move In

Record the condition of the property to make sure your security deposit will be there when you expect it.

During the exhausting process of moving into a new apartment, the last thing on your mind is moving-out day. But since your landlord is probably holding a sizable chunk of your money in the form of a security deposit, it's risky not to prepare for the end of your tenancy right from the beginning. Before you start unpacking dishes and hanging prints on the walls, take a few simple steps to avoid the misunderstandings and disagreements that have made disputes over security deposits legendary.

Look Under the Hood

Give your unit a thorough inspection before you move in. (Better yet, do it before you sign the lease!) It's best to inspect the premises before you move in; it will be easier to spot problems while the place is bare.

Don't neglect to check out things that might not be readily apparent, such as water pressure and sink drainage in the kitchen and bathrooms, the operation of appliances, the appearance of floors and walls, and the condition of the pads under the carpet.

Use a Move-In Checklist

Make a detailed inventory of what you find. The best way to do this is with a good checklist. The more you record about the unit when you move in, the better position you'll be in when moving out to show that certain problems already existed before you moved into the unit.

In some states (see list), landlords are required to give new tenants a written statement on the condition of the unit at move-in time, including a comprehensive list of existing damage. In other states, many landlords provide a checklist to new tenants, but some do not. You can write up a checklist yourself.

Ideally, you and your landlord should fill out the checklist together to prevent any disputes or disagreements. Otherwise, it's smart to bring along a roommate or a friend so that there's at least one other witness to the condition of the unit at move-in time. If you spot problems, describe specifically what is wrong. Rather than simply noting "damage to carpet," for example, state "cigarette burns, frayed edges in carpet next to picture window." The more detailed you are, the clearer it is that you're not responsible for those damages. You and your landlord should both sign the checklist after completing it. Make a copy so that each of you has one.

At the end of your tenancy, you'll make another inspection of the same items, noting their condition at move-out time. If items that were okay at move-in are now damaged, your landlord may hold you responsible for fixing them. But you'll be protected from being billed for damage that existed before you ever moved in.

States Where Landlord Must Provide Move-In Statements

Arizona
Georgia
Hawaii
Kentucky
Maryland
Massachusetts

Michigan
Montana
North Dakota
Virginia
Washington

Take Pictures

Besides completing a checklist, you may also want to document the condition of your unit with photographs or video. If you take photos, have doubles of them developed immediately, write the date they were taken on the backs, and send your landlord a set as soon as you get them back. That way your landlord won't be able to claim that the photos were taken later than they actually were.

If you can, use a camera that automatically date-stamps each photo. If you videotape the premises, clearly state the date and time while you are taping, make a copy and send it to your landlord right away. Repeat this process when moving out.

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