

GEORGIA SECURITY DEPOSIT LAW



What's New?

- If your landlord charges you a security deposit, it cannot be more than **two times the amount of your monthly rent**. For example, if your rent is \$1,000 per month, the most you can be charged for a security deposit is \$2,000.

What's Still True?

- Your landlord does not have to return the security deposit before you move out, or use it for your rent while you still live in the property.
- Your landlord has **30 days** from the date you move out to do one of these things:
 1. Return the full deposit to you.
 2. Return part of the deposit to you with a written explanation about why they kept the rest of the deposit.
 3. Send you a written explanation of why they are keeping the entire deposit.
- Your landlord may keep some or all of your deposit for damage to the property beyond ordinary wear and tear (what you would expect from day-to-day use). Your landlord may also keep some or all of your deposit if you owe unpaid rent, utilities, late fees, or other charges.

Security Deposit Disputes

If your landlord keeps part of your security deposit and you disagree with their explanation, you **should not cash the check that they sent you**. If you cash the check, the law considers you to have agreed with the landlord's decision about how much money they returned to you. You will not be able to ask for more.

If your landlord has more than ten rental units or uses a property management company, they have more requirements to follow.

- They must provide you with a list of existing damages when you move in.
- They must provide you with a list of damages when you move out.
 - You have the right to dispute these lists in a timely way.
- They must inspect the unit within 3 days of your move-out and allow you to conduct an inspection within 5 days of your move-out.
- They must hold your security deposit in an escrow account or post a surety bond.

If your landlord does not follow these rules or keeps any of your security deposit without justification, you may be entitled to get three times the amount of the deposit back.

Questions?

If you have questions about the maintenance and repair issues with your home, you may contact **Atlanta Legal Aid** at (404) 524-5811 or atlantalegalaid.org/get-help/ or **Atlanta Volunteer Lawyers Foundation** at (404) 521-0790 or avlf.org/get-help/.

If you live outside the 5-county metro Atlanta area, contact **Georgia Legal Services Program** at (833) 457-7529 or glsp.org/need-help/ to talk to someone about your specific situation.

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