



# THE LEGAL ADVISOR

*The official newsletter of Scranton Road Legal Clinic*



## Security Deposit 101

*Written by Lillie Burkons, Esq., Staff Attorney*

Renters must pay a security deposit upon lease signing. A security deposit is a monetary promise, usually in the amount of one month's rent, or at least \$50, to take proper care of the rental property.

When the tenancy ends, a tenant can get their deposit back by giving the landlord the address where the landlord can mail the deposit. The correspondence should be written, copied for their records, and sent through email or certified, return receipt mail. The landlord then has 30 days from when the tenant vacates the property to return the deposit, in full, absent certain circumstances (see below). If the landlord does not return the entitled deposit after 30 days, the tenant should write the landlord a letter, again saving a copy of the correspondence, requesting the return deposit. If the landlord still fails to return it, the tenant can sue the landlord for double damages, costs, and attorney fees.

Ordinary wear and tear are considered normal and do not constitute the withholding of a security deposit, but there are instances in which a landlord can withhold the security deposit.

For instance, if a tenant damages the rental beyond "ordinary wear and tear," the landlord must provide the tenant with an itemized list of the damages and repair costs. The landlord can use the tenant's security deposit to pay for these itemized damages, but must return any unused portion.

## Security Deposit 101 (Cont.)

In addition, if a tenant owes back rent, the landlord can keep the security deposit in whole or in part, to fill the gap in unpaid rent.

A tenant can try to minimize the risk of losing some or all of their security deposit by cleaning and/or repairing the rental on their own before moving out of it.

Once the rental is emptied and then cleaned, the tenant should video record and/or photograph it, should any questions or conflicts arise.

## PHONE SAFETY TIPS!

Brought to you by Cuyahoga County Consumer Affairs



**HANG UP IF...**

- ✓ Caller threatens you with arrest or property seizure
- ✓ Caller claims to be a grandchild or loved one in trouble with the law
- ✓ Caller asks you to wire money, mail cash or pay with gift cards
- ✓ A repair person calls out of the blue and wants to "fix" your computer

**SCAM SQUAD**

## UNUSUAL LAWS

### Strange Laws Around the US (Ohio)

- In Cleveland it's illegal to catch mice without a hunting license.
- Columbus archives say that it is illegal for stores to sell cornflakes on a Sunday
- In Toledo it's illegal to throw a snake at anybody.



**IN-PERSON FAMILY LAW ADVICE CLINIC/WORKSHOP CONTINUES IN 2022!  
CONTACT US AT 216.861.5323 TO SIGN UP NOW! SPACE IS LIMITED.  
Also, Check our our self study workshops on our website!**

Formed in 2012, Scranton Road Legal Clinic educates and empowers our neighbors to make educated and prudent legal decisions, while providing the holistic support for the spiritual, emotional and relational problems that often accompany legal concerns. We offer brief advice via our brief advice telephone line at 216.861.5323 or via our online intake form at [www.scrantonroadministries.org/legal](http://www.scrantonroadministries.org/legal). Contact us today to discuss your legal need.