

SECURITY DEPOSITS

INFORMATION FOR LANDLORDS

You must file a claim on your tenant's security deposit within seven days of the end of the tenancy.

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CLAIMS:

Claim forms are available at our office or you may write a letter including the following information:

- **Date the claim is made**
- **Landlord's and Tenant's full name and address**
- **Date the tenancy ended and date tenant vacated**
- **Specific details of the rent owing, damages or cleaning required**
- **Cost for each item claimed**
- **Signature of the landlord**

REMEMBER:

- If you require a **security deposit**, often called a damage deposit, you may collect this yourself or ask the tenant to pay it at the Office of the Rentalsman. If you collect it, you must remit it to the Office of the Rentalsman within seven days.
- Always provide a **proper receipt** to your tenants for rent and security deposits. A proper receipt should include the date, your tenant's name, the address of the rented property, the amount paid, if it was rent or a security deposit, and your signature. Always keep a copy.
- Be sure to include everything in the claim, even if it exceeds the amount held as a deposit.
- Keep a copy of your claim for your records.
- It is also wise to complete an **Accommodation Inspection Report** to indicate the condition of the premises at the start of the tenancy. This can be important in the event you make a claim, because it indicates the original condition.
- **You will have to prove your claim.** It is advisable to take photographs of the premises before any work is done, to keep track of who does the work, and to keep receipts and quotes. Hourly rates paid for cleaning, repairs and painting should be provided.
- When making a claim, **include specific details.** Itemize what was damaged and whether it was repaired or replaced. **The age and general condition** of a damaged item is also relevant to the rentalsman's investigation.
- Claims for damage to common areas, to other apartments, or for utilities may require the landlord to request the deposit be retained by the Rentalsman while the matter is taken to Court.
- A disputed claim could take 2 months or more to complete if a written decision is required.

TIME LIMITS:

- A **landlord** must make a claim on a security deposit within **7 days** after the end of the tenancy for **rent owing, cleaning or damages** within the premises.
- If the 7th day falls on a Saturday, the claim must be filed by the 6th at the office, or may be faxed on the 7th; if the 7th falls on a Sunday or a statutory holiday, the claim may be filed on the 8th.
- If you take possession of a premises at a time other than the end of a tenancy, the claiming time may vary – if you are uncertain, you may contact the Rentalsman to ensure you claim within the proper time period.

CLAIMS FOR RENT:

- When claiming for the following month's rent because of **improper notice** from the tenant, the claiming time may vary – if you are uncertain, you may contact the Rentalsman to ensure you claim within the proper time period.
- When claiming for rent following a **Notice to Vacate**, rental arrears include the month in which the notice is effective. Future rent pursuant to a lease is monetary damage and can only be recovered through the court system.