

2018 -- S 2609

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Senators DiPalma, Seveney, Coyne, and Nesselbush

Date Introduced: March 01, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-18-19 of the General Laws in Chapter 34-18 entitled  
2 "Residential Landlord and Tenant Act" is hereby amended to read as follows:

3 **34-18-19. Security deposits.**

4 (a) A landlord may not demand or receive a security deposit, however denominated, in an  
5 amount or value in excess of one month's periodic rent.

6 (b) Upon termination of the tenancy, the amount of security deposit due to the tenant  
7 shall be the entire amount given by the tenant as a security deposit, minus any amount of unpaid  
8 accrued rent, the amount due, if any, for reasonable cleaning expenses, the amount due, if any, for  
9 reasonable trash disposal expenses and the amount of physical damages to the premises, other  
10 than ordinary wear and tear, which the landlord has suffered by reason of the tenant's  
11 noncompliance with § 34-18-24, all as itemized by the landlord in a written notice delivered to  
12 the tenant. The landlord shall deliver the notice, together with the amount of the security deposit  
13 due to the tenant, within twenty (20) days after the later of either termination of the tenancy,  
14 delivery of possession, or the tenant's providing the landlord with a forwarding address for the  
15 purpose of receiving the security deposit.

16 (c) If the landlord fails to comply with subsection (b), the tenant may recover the amount  
17 due him or her, together with damages in an amount equal to twice the amount wrongfully  
18 withheld, and reasonable attorney fees.

19 (d) This section does not preclude the landlord or tenant from recovering other damages

1 to which he or she may be entitled under this chapter.

2 (e) This section does not preclude any landlord who rents a furnished apartment from  
3 demanding or receiving a furniture security deposit in an amount not to exceed the lesser of  
4 twenty-five percent (25%) of the replacement value of the furniture in the premises rented or one  
5 month's periodic rent.

6 (f) Upon termination of the tenancy, the amount of furniture security deposit due to the  
7 tenant shall be the entire amount given by the tenant as a furniture security deposit, minus the  
8 amount due, if any, for reasonable cleaning expenses and repair and the amount of physical  
9 damages to the furniture, other than ordinary wear and tear. The landlord shall deliver the notice,  
10 together with the amount of the furniture security deposit due to the tenant, within twenty (20)  
11 days after the later of either termination of the tenancy, delivery of possession, or the tenant's  
12 providing the landlord with a forwarding address for the purpose of receiving the furniture  
13 security deposit.

14 ~~(e)~~(g) In the event the landlord transfers his or her interest in the premises, the holder of  
15 the landlord's interest in the premises at the time of the termination of the tenancy is bound by  
16 this section.

17 ~~(f)~~(h) No rental agreement shall contain any waiver of the provisions of this section.

18 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT

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- 1           This act would allow for security deposits on furniture when a furnished apartment is
- 2 leased.
- 3           This act would take effect upon passage.

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