

2022 -- H 7683

LC004773

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT --
SECURITY DEPOSITS

Introduced By: Representatives Vella-Wilkinson, Noret, Williams, Diaz, Casimiro,
Kazarian, Alzate, and Batista

Date Introduced: March 02, 2022

Referred To: House 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 "Residential
2 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) The security deposit installment amount may be paid in full, by twelve (12) equal
7 payments to the landlord and included with each monthly rental payment made. Upon termination
8 of the tenancy, the amount of security deposit due to the tenant shall be the entire amount given by
9 the tenant as a security deposit, minus any amount of unpaid accrued rent, the amount due, if any,
10 for reasonable cleaning expenses, the amount due, if any, for reasonable trash disposal expenses
11 and the amount of physical damages to the premises, other than ordinary wear and tear, that the
12 landlord has suffered by reason of the tenant's noncompliance with § 34-18-24, all as itemized by
13 the landlord in a written notice delivered to the tenant. The landlord shall deliver the notice, together
14 with the amount of the security deposit due to the tenant, within twenty (20) days after the later of
15 either termination of the tenancy, delivery of possession, or the tenant's providing the landlord with
16 a forwarding address for the purpose of receiving the security deposit.

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

1 and reasonable attorney fees.

2 (d) This section does not preclude the landlord or tenant from recovering other damages to
3 which he or she may be entitled under this chapter.

4 (e) This section does not preclude any landlord who rents a furnished apartment from
5 demanding or receiving a furniture security deposit if the replacement value of the furniture being
6 furnished by the landlord valued at the time the lease is executed is five thousand dollars (\$5,000)
7 or greater, in which instance the landlord may charge a separate furniture security deposit of up to
8 one month's periodic rent.

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

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

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

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

=====
LC004773
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT --
SECURITY DEPOSITS

- 1 This act would allow a residential tenant to pay their security deposit in twelve (12)
- 2 installment payments at the same time they pay their monthly rent.
- 3 This act would take effect upon passage.

=====
LC004773
=====