

## HOUSING LAW - Security Deposit Law Facts

- **Under Missouri law, a landlord cannot legally charge you more than two times the monthly rent for a security deposit.** (Section 535.300 Revised Statutes Missouri)
- Make sure you **obtain a written receipt signed by your landlord** when you pay the security deposit to your landlord.
- **Remove all of your belongings from your dwelling when you vacate.** Clean the dwelling. Take photographs and video to document the condition of the dwelling and to show you did not damage the dwelling. Keep your photographs in case you need evidence to challenge any property damage claims made by your landlord.
- **Schedule an appointment with your landlord to deliver the keys and possession of the dwelling.** During the appointment, conduct a walk-through inspection with your landlord to review the condition of the dwelling and to discuss any charges your landlord claims.
- **Obtain a written, dated, signed key receipt** from landlord when return the dwelling keys.
- **Your landlord is not legally obligated to return your security deposit before you vacate; your landlord has 30 days after you move out** to either return your deposit or give you an itemized statement of any amounts withheld by your landlord.
- If you and your landlord agree that you need not pay rent for the last month of your lease because your security deposit will be used for the rent, then be sure to **get this agreement in writing**, and signed and dated by our landlord.
- **Your landlord can apply your security deposit to unpaid rent and/or damages.** If you have not paid all your rent, then your landlord can lawfully use your security deposit for the rent.
- **Legal damage charges are only for property damages caused by you that are beyond normal wear and tear.**
- After you move out, you should **make a written demand for the return of the security deposit**, and keep a photocopy of your demand letter as proof that you requested your landlord to return the security deposit. In your demand letter, provide your landlord with an address to send you the security deposit. **You are not obligated to give your landlord your new home address. Use a PO Box address or other address where you do not live or work.**
- If your landlord refuses to refund your deposit or to give you an itemized statement, **you may file a Small Claims Court lawsuit against your landlord for up to two (2) times the amount of the security deposit withheld.** You do not need an attorney in Small Claims Court.
- **In court at trial, bring proof of : 1) your security deposit and rent payments. 2) your demand letter for return of your deposit. 3) photos/videos of the dwelling after you cleaned and removed your belongings.**