

What is a cleaning fee?

- A cleaning fee can only be used to pay for a residence to be cleaned after you move out
- Some landlords request a nonrefundable cleaning fee. This means that when you move out the landlord will keep the fee, regardless of how clean you leave the place—
RCW 59.18.285



What is “last month’s rent paid in advance”?

- Paying the last month’s rent in advance is not a deposit
- It can only be used for payment of the last month’s rent

What is an application or holding fee?

- Giving a landlord an application or holding fee ensures that the landlord will not rent the place to another person
- Generally the landlord keeps the holding fee or deposit if you change your mind and don’t move in for any reason
- However, the landlord **may not** keep the holding fee if they deny you occupancy for any reason

This information is provided as a courtesy by the Legal Action Center. All law cited is up-to-date as of June, 2012.

If you need legal advice and would like to speak with an attorney, please contact us at 206-324-6890

100 23rd Avenue South
Seattle, Washington 98144-2302

Other resources include:

Housing Justice Project
206-267-7090

CLEAR
206-461-3200

Legal Action Center

Housing Deposits and Fees Explained



Serving King County

There are SIX kinds of deposits and fees that your landlord might collect from you when you begin renting:

1. A screening fee—RCW 59.18.257(1)
2. A security deposit—RCW 59.18.260
3. A damage deposit
4. A cleaning fee
5. The last month's rent paid in advance
6. An application or holding fee—RCW 59.18.253(2)



What is a screening fee?

- Landlords can check your past rental history, eviction history, credit history and criminal background before they rent to you. Generally, landlords hire a company to get this information. The screening fee is used to pay this company
- The landlord must tell you *in writing* that s/he is running a check on you
- If your landlord rejects you because of something in your screening, s/he is required to tell you *in writing* exactly why s/he rejected you

What is a security deposit?

- A security deposit is money you give to your landlord when you move in
- Your landlord can use it to cover any unpaid rent or damages when you move out
- You may not use your security deposit to pay your last month's rent unless your landlord agrees in writing
- If you make a deposit, the landlord is legally required to give you:
 - ◇ A receipt for each deposit—RCW 59.18.270
 - ◇ A written rental agreement—RCW 59.18.260
 - ◇ A check-in list or written statement describing the condition of the unit, signed by both you and the landlord — RCW 59.18.260
 - ◇ A statement that tells you the name and address of the bank or escrow company where the deposit is being kept—RCW 59.18.270
 - ◇ If the landlord collects a security deposit from you without providing you with a written check-list, you may sue to get the security deposit back plus court costs and fees

Can my landlord keep my security or damage deposit to pay for routine upkeep?

- No (for “normal wear and tear”)—RCW 59.18.280

- Examples of “normal wear and tear” include:
 - ◇ A worn carpet
 - ◇ Chipped, faded or dingy paint
 - ◇ Worn finish on a wood floor
- However, the landlord can deduct the cost of fixing damages that are beyond “normal wear and tear”. Examples include:
 - ◇ Broken windows
 - ◇ Holes in the wall
 - ◇ Leaving trash or other items that have to be thrown away
 - ◇ Leaving your apartment so dirty that it is unhealthy or unsafe
 - ◇ Stains on the carpet

When does my landlord have to return my security deposit?

- After you move out, your landlord has 14 days to send you all of your deposit or a letter detailing why s/he is not giving you some or all of it back
- S/he must send this to the most recent address s/he has for you, so make sure your landlord has your new address or that your mail is being forwarded

What is a damage deposit?

- A damage deposit is different from a security deposit and can only be used to cover the cost of damages you or your guests caused. The landlord *cannot* use a damage deposit to cover unpaid rent