

# SECURITY DEPOSITS VS. MOVE-IN FEES

## What's the difference?



### What is a security deposit?

- A security deposit is money paid by the tenant when you first rent a unit from a landlord.
- The landlord holds the deposit to pay for repairs if the tenant causes damages to the unit or if the tenant leaves while they still owe rent.
- The law requires the landlord to return the security deposit when the tenant leaves the unit if the tenant has not damaged the unit “beyond normal wear and tear” and if the tenant has paid all of the rent due.
- The landlord may keep all or some of the deposit to pay for repairs if the tenant caused damages or to cover unpaid rent.
- The landlord must notify the tenant of any withheld portion of the deposit and provide an itemized list of deductions

In suburban Cook County (excluding Chicago, Oak Park, Mount Prospect, and Evanston), the Cook County Residential Tenant Landlord Ordinance limits security deposits to 1 and a half times the monthly rent. If a landlord charges more than 1 and a half times the monthly rent, the tenant can sue the landlord.



### Getting your deposit back:

- You must inform your landlord of your mailing address so they can mail your check. In Suburban Cook County, landlords must return your security deposit within 30 days of when you move.
- In Chicago, landlords must return your security deposit within 45 days of when you move.
- If the landlord is going to deduct from the deposit, the landlord must provide an itemized list of costs to you within 30 days of when you move.
- If a landlord does not return a security deposit or does not provide an accurate itemized list of deductions, you can sue for up to two times the security deposit amount, court costs, and reasonable attorney's fees.



### Move-In Fees:

- Landlords may charge a non-refundable “move-in fee” in place of or in addition to a security deposit. Make sure you know if the landlord is charging a refundable security deposit or a non-refundable move in fee.
- In Cook County landlords may not charge a move in fee that is more than their reasonable cost of you moving in and must provide an itemized list of the estimated costs that make up the move-in fee
- The landlord cannot call a move-in fee something different so that they can avoid these rules.

### RECOMMENDATIONS

- 01** Request a written receipt of any payment given to the landlord as a security deposit or move-in fee.
- 02** If the landlord does not make the required disclosures you must notify the landlord of their failure to comply by written notice before you are able to sue.
- 03** Contact a legal or housing service provider for assistance sending the letter or taking legal action (resources below). You can create a letter or get more information at <https://rentervention.com/>.



# RESOURCES

## **CARPLS**

Phone: 312.738.9200

<https://www.carpls.org/contact/>

## **LCBH**

Address: 33 North LaSalle, Suite 900, Chicago, IL 60602

Phone: (312) 347-7600

<https://www.lcbh.org/>

## **Northwest Side Housing Center**

Address: 5233 W. Diversey Ave, Chicago, IL 60639

Phone: 773-283-3888

<https://www.northwestcenterchicago.org/>

## **Catholic Charities**

Phones: (312) 655-7700 in Chicago or (847) 782-4000 in Lake County

Email: [GetHelp@catholiccharities.net](mailto:GetHelp@catholiccharities.net)

<https://www.catholiccharities.net/GetHelp/OurServices/EmergencyAssistance.aspx>

## **Northside Community Resources**

Address: 1530 W. Morse Avenue, Chicago, IL 60626

Phone: (773) 338-7722

Email: [info@northsidecr.org](mailto:info@northsidecr.org)

<https://www.northsidecommunityresources.org/>