

SECURITY DEPOSITS

INFORMATION FOR TENANTS

When you move, be sure to apply to the Office of the Rentalsman for refund or transfer of your deposit.

.....

REFUNDS:

Tenants must apply *in writing* for the *refund* of their security deposit. This may be done at any time, but the application will not be processed until the tenancy is over. Application forms are available at our office, or you may write a letter including the following information:

- **Landlord's and Tenant's full name and address**
- **Date the tenancy ended and date you moved out**
- **Forwarding address where the tenant wishes the refund cheque mailed**
- **Signature of all tenants and telephone numbers**

All tenants named on the deposit will be named on the cheque. Cheques are mailed every Wednesday and Friday.

TRANSFERS:

- Tenants may apply to transfer their deposit to a new address.
- Transfers must be completed on **Form 5** available at the Office of the Rentalsman.
- All tenants named on the deposit must sign the transfer form.
- A **Certificate of Transfer** will be forwarded to your new landlord.

REMEMBER:

- When renting, it is best to have the terms set out in writing on the **Standard Form of Lease** to ensure both parties are clear on all of the terms.
- It is also wise to complete an **Accommodation Inspection Report** to indicate the condition of the premises when you move in. This can be important in the event the landlord makes a claim on the deposit at the end of the tenancy, because it indicates the original condition.
- If the landlord requires a **security deposit**, often called a damage deposit, you may pay that amount directly to the landlord or to the Office of the Rentalsman. Protect yourself by ensuring you receive a **proper receipt** from you landlord. A proper receipt should include the date, your name, the address of the rented property, the amount paid, if it was rent or a security deposit, and the signature of the person accepting payment.
- If you pay a security deposit to your landlord, he must deliver that amount to the Office of the Rentalsman within 7 days. If you don't get a receipt from the Province of New Brunswick, ask your landlord to forward the deposit to our office. If that does not happen, contact the Office of the Rentalsman for further assistance.
- At the end of your tenancy, it is a good idea to inspect your premises with your landlord. If everything is acceptable to the landlord, ask him to sign a **release** for your deposit. This will speed up the refund or transfer process.
- If your deposit is paid in 2 or more names, make sure the deposit is registered to the proper people in the correct amounts. If one tenant has moved elsewhere, that tenant must sign off his or her portion. The Rentalsman cannot change the names on the deposit without signatures.
- If your landlord wishes to make a claim on your security deposit, he must do so within 7 days after the end of the tenancy. The claim may be for any **rent owing, for any cleaning required after you leave, or for any damages to the premises**.
- If the landlord makes a claim, our office will notify you and you are given an opportunity to dispute if you do not agree. Be prepared to support your dispute with evidence. This could include photos taken before you vacate, receipts, inspection report, or letters from witnesses.
- If a settlement cannot be agreed on, a disputed claim could take 2 months or more to be resolved.