

A Simple Guide to Getting Back Your Security Deposit

1

Make sure you qualify.

To get your full deposit back, you must have left the property in good condition (allowing for normal wear and tear), and paid all rent and fees. If you didn't, your landlord can deduct these expenses from your security deposit.

2

Give notice that you're moving.

Tell your landlord in writing that you are moving, and the day you plan to move out. Make sure you give the proper amount of notice. Unless your lease says differently, you must give 30 days notice. If you have a verbal lease, you must give at least 10 days notice.

3

Request your security deposit back in writing.

On your last day, send a written request for your deposit and include your new mailing address.

4

Allow time for a response.

Unless your lease says otherwise, your landlord has 30 days after the lease ends to return the deposit or send an itemized list of deductions.

5

Follow up or take legal action.

If your landlord doesn't return your deposit or an itemized list of deductions, you may need to file a suit in small claims court.

Need help finding a lawyer?

Our resource database can help you find free civil legal services based on your legal issue, income, and location.



Scan to find legal help programs!

If you don't qualify for free legal help, you may still find affordable options through the LSBA's Modest Means Directory. Some private lawyers also offer payment plans, sliding scale fees, or "unbundled" legal services, so be sure to ask if you don't qualify for free or reduced-cost services.

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HOUSING

Getting Back Your Security Deposit

Learn how security deposits work, how to ask for yours back, and what to do if there's a problem.



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The Basics

What is a security deposit?

A security deposit is money you pay your landlord when you move in. They hold it to cover unpaid rent or damage beyond normal wear and tear.

How much can a deposit be?

There's no set limit. Most landlords charge about one month's rent. Some may charge more or less depending on their policies or the rental market.

When does my landlord have to return my security deposit?

Yes. Your landlord must return your security deposit within 30 days after you move out, unless your lease says otherwise.



What if my landlord keeps part of my security deposit?

If any amount is withheld, the landlord must provide an itemized statement listing the reasons and expenses.

What notice do I have to give my landlord if I am moving?

To get your security deposit back, make sure you follow the notice period in the lease before moving-out. For a one-year lease, this is usually 30 days, but always check your lease for specific terms. If you're on a month-to-month lease or you don't have a written lease, give at least 10 days' notice.

Failing to give proper notice could mean losing your deposit or being charged rent for the days after you move out, until the proper notice period is met.

What is normal "wear and tear"?

The natural and expected deterioration that occurs from regular use of a rental property over time. Any damages that exceed the expected wear and tear may result in deductions to the security deposit.

What happens if the landlord doesn't provide a list of deductions or return the security deposit?

If the landlord fails to do this, they can owe you back the deposit back plus penalties. A tenant can take legal action by filing a claim to recover their security deposit in small claims court.

How can I protect myself from security deposit disputes?

Document the condition of the property when you move in and when you move out. Take photos or videos of each room, including existing damage. Keep copies of your lease, receipts, and any messages with your landlord.



Good to Know

How do pet fees and pet deposits work?

A pet deposit is extra money you pay in case your pet causes damage, and you may get it back if everything is left in good condition. A pet fee is a set charge that is usually nonrefundable. Make sure you know which one you're paying and send a written request for your pet deposit when you move out.

How do security deposits work if I have a roommate?

If everyone is on one lease, the deposit is returned to the group together. If each person has their own lease, everyone gets their own deposit back separately. A roommate agreement can help you decide how to divide it.

Learn More!

This brochure only covers the basics.

Be sure to check out LouisianaLegalNavigator.org for the full guide, self-help tools, and referrals for help!

