



SECURITY DEPOSITS

If you are a tenant and you have been displaced by a fire, flood or other natural disaster, you may be able to have your security deposit returned quickly. A landlord must return your security deposit within five business days if:

- The displacement is caused by fire, flood, condemnation or evacuation; and
- An authorized public official posts the premises with a notice prohibiting occupancy, or
- A building inspector has certified within 48 hours that displacement is expected to continue longer than seven days and has so notified the owner in writing.

The landlord is supposed to send you a notice about your security deposit within 3 business days of the landlord being notified that you have been displaced. The landlord should also post the notice on the door of the apartment. The notice must tell you where and when you may pick up the security deposit funds. The landlord may deduct rent and other charges due at the time of the displacement and should include this information in the notice.

You have up to 30 days to pick up the security deposit. Your landlord may keep the funds at the landlord's place of business or the landlord may give the security deposit funds to the municipal clerk to hold.

If you move back into the apartment later, you must pay 1/3 of the deposit to the landlord when you move back in, 1/3 of the deposit 30 days later and the final 1/3 of the deposit 60 days after moving back in.

Prepared by Legal Services of Northwest Jersey. If you live in Somerset County and have questions about tenancy or other legal issues, you may contact LSNWJ, 34 West Main Street, Suite 301, Somerville, NJ 08876; 908-231-0840. If you live in another part of New Jersey, contact your local legal services provider.

Date: March 17, 2010