

FOR KNOX & BLOUNT COUNTIES:

AVOIDING EXCESSIVE DAMAGE CHARGES

INSTRUCTIONS FOR TENANTS

Landlords and tenants often get into disputes about who is responsible for damages to the rental property. Landlords may require security deposits before the tenant moves in. Security deposits are to protect the landlord from a tenant's damages to the property **beyond normal wear and tear**. If there are no damages when the tenant moves out, the tenant should ask the landlord to return the security deposit. A **complete inspection** of the property before moving in can head off misunderstandings about damages and who is responsible. If possible, the landlord and tenant should do a pre-move in inspection **together**. **List all the problems and existing damages** on the forms and initial each page, date and sign the forms at the end.

Inspect the property **before** you pay rent or a deposit. Look for things wrong with the place such as broken glass; rug burns, stains and tears; nail holes in the walls; chips in the sink or tub; scratches in the doors and woodwork; missing light fixtures; peeling paint; condition of the appliances; condition of the furniture (if furnished).

Make a list of any repairs that need to be made. Do all the lights and wall plugs work? Do the sink and bath drain property? Does the commode flush? Do the doors and windows open like they should? Are screens present? Are they torn? Do the heat and air conditioner work? Do the appliances work properly? Before moving in is the time to get the landlord to make repairs. List the repairs the landlord agrees to make. List the repairs that the tenant agrees to make. If the landlord agrees to pay for the tenant's repairs or to give the tenant credit on the rent, be sure to write the agreement out and have the landlord sign and date the agreement. There is room to list these agreements at the end of the forms.

Remember that taking care of the details on the front end can avoid problems when you move out. **TAKE PICTURES** - For less than \$10 you can purchase a "disposable" camera with a built in flash. It is well worth the investment. Take pictures **before you move in and when you move out**.

Finally, remember that when you leave the property, the landlord must inspect the premises within three business days. You have a right to be there for the inspection. If there are no damages and if you do not owe the landlord money, the landlord should return your security deposit to you. You should request the return of the security deposit in writing and keep a copy.

For other information on your rights under the law, contact Knoxville Legal Aid Society, Inc., and ask for a brochure on landlord tenant law in your county.

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