

REQUEST FOR DEPOSIT REFUND

Dear (name of former landlord): _____

My name is (print) _____. I used to live at the following address: _____

I paid a deposit to live there and I now request that you refund the deposit to me. The refundable portion of the deposit is \$ _____. Please send my refund to the following address: _____

I make this request pursuant to Utah's Residential Renters' Deposits law.

Thank you.

Former Tenant's signature
Date: _____

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Instructions: Make a copy of this request for yourself. Then give or mail this request to the landlord or the landlord's manager **not more than 30 days after the end of your tenancy**. The law says: "The renter shall notify the owner or designated agent of the location where payment and notice may be made or mailed." If you don't notify the landlord of the address where you want your refund sent, you cannot claim the \$100 penalty in addition to your refund. The landlord must return your deposit within **15 days** of receiving your request unless the landlord claims you damaged the rental unit. If the landlord claims damage, the landlord has **30 days** to give you a refund and/or an explanation. The landlord may give you a written itemization of deductions from your deposit for damage beyond reasonable wear and tear. If the landlord claims excess damage, the landlord will keep some or all of your refundable deposit.

You can file in Small Claims Court (SCC) against the landlord for up to \$10,000 if you don't get your refund or an explanation, or you disagree with the damage claimed by the landlord, or you have other claims against the landlord. SCC cases must be filed in the justice or municipal court where you were renting. Call the city or county government office where your rental was located to find out where you should file your claim. Look at this website for SCC information and where to file: <http://www.utcourts.gov/howto/smallclaims>. If you cannot afford the filing fee, ask for an affidavit to waive the cost of filing in SCC. If the judge approves, you will not have to pay and the local sheriff or police department will serve your SCC complaint on the landlord.

If the landlord fails to give you a refund and/or a written list of damages claimed within the time period allowed by the law, you are entitled to "the full deposit, a civil penalty of \$100, and court costs" (Utah Code §57-17-5) as long as you give the new mailing address to the landlord within 30 days after ending your tenancy.