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Security Deposit Refund (Mietkaution) — How to Recover Your Money

A security deposit (Mietkaution) is money you're entitled to recover after your lease ends. Landlords can only withhold it for justified reasons like unpaid rent or damages beyond normal wear and tear.

Deutsche Begriffe: Mietkaution | Kaution | Kautionsrückgabe | Rückzahlung

What is a security deposit refund?

After your lease ends, you have the right to recover your security deposit (Mietkaution) that you paid at the beginning. A landlord can only keep part or all of it in justified cases.

When can a landlord keep the deposit?

- **Unpaid rent** — outstanding bills
- **Apartment damage** — beyond normal wear
- **Unpaid Nebenkosten** — settlement of additional costs
- **Missing repairs** — if the contract required painting upon move-out

Refund timelines

Situation	Timeline
Standard refund	3-6 months
Maximum time	6 months

Situation	Timeline
After Nebenkosten settlement	Up to 12 months

How to recover your deposit

- 1. Apartment handover** — inspection report (Übergabeprotokoll)
- 2. Written request** — after 6 months you can request refund in writing
- 3. Reminder** — if no response, send Mahnung (formal notice)
- 4. Mieterverein** — legal assistance from tenant association

Inspection protocol

Always do at move-out:

- Photos of every room
- Meter readings (electricity, gas, water)
- Landlord's signature on the report
- Copy of the protocol for yourself

Disputes over deposit

If landlord wrongfully withholds the deposit:

- 1.** Written demand for return (Fristsetzung)
- 2.** Mieterverein — legal advice (~100€/year membership)
- 3.** Court — Amtsgericht for amounts up to 5000€

Important

- Deposit must be held in a separate account (Kautionskonto)
- Interest accrues to the tenant
- Landlord cannot use the deposit for routine repairs during tenancy