

Fact sheet

Damage to the rented apartment



Tips for trouble-free apartment handover

Preparation

Completely clear and clean the apartment. Make sure you take part in the handover in person. Don't forget to bring the handover protocol and lease documents with you.

Protocols

Only damages/defects actually found may be listed in the handover or acceptance protocol. Only sign the protocol if it is correct in your opinion and the defects listed actually exist. If you do not agree with the protocol, do not sign it or do so only with clearly defined reservations regarding the disputed points. Take photos of the disputed issues (e.g. sections of parquet floors, walls).

Orders

In your own interest, do not place any orders with workmen for repairs. Orders for the elimination of defects/damages must be placed by the owner or property management.

Notification of claim

Notify us of any damage to your rented apartment caused by you as soon as possible. We would be happy to assist and advise you. If you anticipate any problems during the handover and require assistance, please contact us on our toll-free number 0800 80 80 80.

Who pays for what in the event of damage to the apartment?

1. The tenant is only liable for damage and excessive wear + tear

The tenant is not liable for the normal **wear and tear** in the apartment. He or she is therefore not responsible for the repair of items or property that have been duly used in a customary manner. On the other hand, the tenant is liable for excessive wear + tear. Whether or not wear + tear is to be regarded as excessive, must be decided on an individual basis.

Furthermore, the tenant is liable for **damage** to the apartment caused during the rental period. This includes broken windows, visible carpet stains or large burns.

2. The tenant is only liable for the so-called actual cash value

In the event of excessive wear + tear, the tenant shall owe the actual cash value of the damaged items or property. The actual cash value equals the **new value minus a deduction for wear and tear**. For example, according to the common lifespan table of the tenants' and homeowners' association, a standard coat of paint should last eight years (www.mietrecht.ch). If it is six years old when you move out of the apartment, the actual cash value is still 25% of the new value of the coat of paint.

3. The burden of proof lies with the tenant

If the tenant does not wish to be held liable for damages, he or she must prove that it was **not caused by him or her**. This is often difficult. Therefore it is always advisable to document existing damages in the handover protocol or list of defects on moving in. Substantiating photos or witness statements can also serve as useful evidence.

4. The tenant is responsible for minor repairs and maintenance work

Costs for minor repairs and maintenance must be borne by the tenant, normally up to a **maximum of CHF 200**. Examples of such repairs include repairing switches and sockets or the replacement of shower hoses, tap washers, kitchen extractor fan filters and toilet seats.

5. Orders

Do not place any orders with workmen for repairs. Orders for the elimination of defects **must be placed by the owner/property management**. The party placing the order is always responsible for paying the repair bill. If you nevertheless place the order yourself, there is firstly the risk that the property management might not approve the results of the repair and refuse to accept the costs.

Secondly, the tenant would also have to pay for that part of the bill that should have been borne by the landlord due to the age-related reduction in value.

6. The tenant must inform the property management without delay

In the case of more serious damage, the property management must be notified **at the latest when the tenant hands in his or her notice**. This gives the property management plenty of time to organize the repairs. Otherwise, if the new tenants are prevented from moving in on the agreed date, the old tenant may be held responsible for the loss of rent.

7. Insurance cover

Your personal liability insurance will pay for damages that occurred **suddenly and unexpectedly**.

However, for example the following are **not insured**:

- Damage caused by smoke from cigars, cigarettes or candles
- Mold damage
- Repair of dowel holes
- Costs for the removal of adhesive residues (e. g. from posters)
- Repainting of colored walls

For storing