

New York Normal Wear and Tear vs. Damage Checklist

General template, not legal advice. Have a New York attorney review before use. Last reviewed October 29, 2026.

Normal wear and tear is the gradual decline that comes from ordinary living, even by a careful tenant. Damage is harm beyond that, caused by accident, neglect or misuse. Courts look at the facts, the length of the tenancy and the age of the item, so treat this list as a guide, not a rule. Longer tenancies mean more wear is normal.

Itemization rules in New York: Any deductions must be listed in an itemized statement sent within the same 14 days, and a tenant who asks may get a pre move out inspection to fix problems first. (General Obligations Law section 7-108)

Walls and paint

Usually normal wear	Usually damage
Paint faded or slightly dulled by sunlight	Holes from furniture, doorknobs or fists
A few small nail holes from hanging pictures	Many large anchor holes or shelves torn out
Light scuffs along furniture height	Crayon, marker or unapproved paint colors
Hairline cracks from settling	Smoke stains that need sealing before painting

Floors and carpet

Usually normal wear	Usually damage
Traffic paths and matting in hallways	Burns, rips or large stains
Light surface scratches on wood or vinyl	Deep gouges, water damage or pet scratches
Carpet worn thin after many years	Pet urine odor soaked into pad
Grout slightly discolored	Cracked or broken tiles from dropped objects

Kitchen and bath

Usually normal wear	Usually damage
Worn finish on cabinet handles	Broken cabinet doors or hinges
Minor countertop wear	Burns, cuts or chips in counters

Usually normal wear	Usually damage
Loose toilet seat or worn faucet washer	Cracked toilet tank or sink
Caulk that has aged and yellowed	Mold from not using exhaust fans after repeated warnings

Doors, windows and fixtures

Usually normal wear	Usually damage
Sticking door from humidity	Door kicked in or off its hinges
Worn blinds cords	Bent or missing blinds
Loose door handle	Broken windows or torn screens
Dull light fixtures	Missing fixtures, bulbs removed or alarms disconnected

Cleaning and items left behind

- ☐ Light dust is normal. Heavy grease, grime or filth beyond move-in condition can be charged at a reasonable rate.
- ☐ Trash, furniture and belongings left behind can be charged for removal, following the state's abandoned property rules.
- ☐ Pest treatment can be charged when the tenant's conduct caused the problem.

Deduction worksheet

Charge only the part of an item's value the tenant used up early. Example: carpet with a 10 year life, 6 years old, ruined by the tenant. Replacement costs \$2,000. Remaining life is 4 years out of 10, so a fair charge is about \$800.

Item	Useful life (years)	Age (years)	Replacement or repair cost	Remaining life percent	Charge

- ☐ Compare with the move-in checklist and photos before charging.
- ☐ Attach receipts, invoices or written estimates for each charge.
- ☐ Use the same labor rates you would pay a vendor.
- ☐ Send the itemized statement within the state deadline.

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