BORNSTEIN LAW
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Normal Wear and Tear vs. Damage

A Quick Reference for California Landlords

	Normal Wear and Tear Ordinary deterioration from reasonable, everyday use	Potentially Deductible Damage Tenant-caused damage that may justify a deduction
1	**Walls:** Minor scuffs, small nail holes, or slight paint wear from normal use.	**Walls:** Large holes, extensive gouges, or unauthorized painting requiring reasonable restoration.
2	**Carpeting:** Light wear, slight matting in high-traffic areas, or minor fading.	**Carpeting:** Burns, tears, or significant tenant-caused stains requiring necessary cleaning or repair.
3	**Hard flooring:** Minor surface scratches or dulling from ordinary foot traffic.	**Hard flooring:** Deep gouges, impact cracks, or water damage caused by misuse or neglect.
4	**Bathroom fixtures:** Light mineral buildup, slight discoloration, or minor surface wear.	**Bathroom fixtures:** Cracked sinks or tubs, or broken shower doors caused by misuse.
5	**Kitchen appliances:** Normal aging, light surface wear, or minor scratches that do not affect function.	**Kitchen appliances:** Broken components caused by tenant misuse or neglect, not normal aging.
6	**Countertops:** Light scratches or dulling from everyday use.	**Countertops:** Major burns, chips, cracks, or stains not removable through ordinary cleaning.
7	**Windows and screens:** Minor dust, light wear, or small screen tears from aging.	**Windows and screens:** Broken glass, missing screens, or damage caused by misuse or neglect.
8	**Plumbing:** Slight faucet wear, age-related dripping, or a running toilet needing routine adjustment.	**Plumbing:** Clogs from grease or non-flushable items, or other tenant-caused damage.
9	**Doors and hardware:** Minor scuffs, worn paint along edges, or handles loosened by regular use.	**Doors and hardware:** Impact holes, cracked panels, broken locks, or hardware damaged by force.
10	**Light fixtures:** Normal bulb replacement and slight fixture wear from age.	**Light fixtures:** Broken fixtures, missing covers, or physical damage caused by misuse.
11	**Kitchen cabinets:** Hinges loosened through ordinary use; finish worn around handles.	**Kitchen cabinets:** Doors torn from hinges, broken drawer fronts, or missing hardware.
12	**Cleaning:** Dust on baseboards, light cooking odors, or minor soap scum from ordinary use.	**Cleaning:** Abandoned trash, excessive grease, or tenant-caused odors requiring additional cleaning.
13	**Closets:** Rods slightly bowed by normal clothing weight; sliding doors off tracks from loose screws.	**Closets:** Punctured closet doors, snapped shelving, or missing closet hardware.
14	**Fences and gates:** Weathered wood, minor rust on hardware, or gradual leaning from soil settling.	**Fences and gates:** Boards broken by impact, pet-chewed wood, or gates bent through misuse.

Key Takeaway: Under California Civil Code § 1950.5, deductions for repairs must exclude ordinary wear and tear. Cleaning charges must be reasonably necessary to restore the unit to its move-in level of cleanliness.

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