



Holding Deposit Agreement

On _____, 2015 (date), Access Real Estate Services, as Owner's Agent, hereinafter called "Agent", received \$_____ as a holding deposit from the undersigned, hereinafter called "Applicant" as consideration for the Agent's agreement to take off the rental market the premises located at:

Name of Applicant(s)_____

Unit # _____

Street Address_____

City__Bellingham

State WA

ZIP _____

Move in Date (Approx.)_____, 2015

Applicant understands that once this Agreement is signed by Applicant, and the holding deposit is received by Agent, the premises will be taken off the rental market and reserved for Applicant, and other potential applicants will be turned away. Note that a binding rental agreement will be subject to Agent's acceptance of Applicant's application, and subject to Agent and Applicant entering into a separate rental lease agreement. However, this Holding Deposit Agreement will be binding upon execution by Agent and Applicant. The monthly rent under the rental lease agreement will be \$_____ per month.

ACCEPTANCE OF APPLICATION: If Agent approves Applicant, Applicant must sign a rental lease agreement for the premises by _____, or Agent will deduct "lost rental damages" (as defined below) incurred by Agent as a result of holding the subject premises off market. If Applicant signs a rental lease agreement, Agent will apply the holding deposit to the security deposit. If there is inconsistency between the terms of this Holding Deposit Agreement, and a rental lease agreement signed by the parties, the terms of rental lease agreement will control. In the event the Applicant signs a rental lease agreement and the unit is not available on the beginning date of the rental lease agreement due to a prior tenant holding over, the Applicant's damages shall be limited to a return of the holding deposit, any security deposit and any advance payment of rent.

APPLICANT'S FAILURE TO ENTER INTO RENTAL/LEASE AGREEMENT: If Applicant, after approval, chooses not to enter into the rental lease agreement, Agent will retain the holding deposit as "lost rental damages" to cover the lost opportunity to rent the premises.

If any legal action or proceeding is brought by either party to enforce any part of this Agreement, the prevailing party will recover, in addition to all other relief, reasonable attorneys' fees and costs.

ACKNOWLEDGED AND AGREED:

Applicant _____ *Date*

Applicant _____ *Date*

Landlord
Access Real Estate Services
as Owner's Agent _____ *Date*