

Basic Tenant Rights and Landlord-Tenant Disputes in Minnesota

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As a renter in the State of Minnesota, you have a variety of rights before, during, and after your tenancy. Many rights are non-waivable, even if the landlord says that they can be, such as your right to receive timely maintenance and reasonable repairs.

Some Important Things to Consider:

Before Tenancy

- Inspect the unit: always take the opportunity to inspect the unit, indicating any necessary repairs.
- Ask about any fees: landlords can charge for things like a criminal background check, credit check, and checking references.
- Security deposit: the security deposit should not be more than one month's rent.
- Read the lease: always read the lease, especially if there are duties that might be imposed upon the tenant by the landlord (yard work, snow removal, etc.). You can always call a service like Homeline (information below) to ask for free legal advice regarding leases.

During Tenancy

- Privacy: you have the right to privacy, and the landlord cannot (with very few exceptions) enter your dwelling without proper notice.
- Raising the rent: landlords cannot raise the rent for definite-term leases (one year, six months, etc.) unless the lease allows for it; they can raise rent for indefinite-term lease (month-to-month) so long as they serve notice within one rental period plus one day.
- Repairs: landlords are obligated to keep a unit in livable conditions and must make repairs within a reasonable time; tenants are allowed to bring a variety of actions against a landlord if they do not comply (see below).

After Tenancy

- Proper notice: always give proper notice if you intend to terminate a lease.
- Receiving your deposit: a landlord has 21 days to return your security deposit (minus any deductions with written record of repairs or otherwise); landlords may only keep money for repairs "beyond ordinary wear."

Filing an Action

Housing Court

Hennepin and Ramsey Counties both have Housing Courts specifically designed to handle disputes between landlords and tenants. The most common action to file against a landlord is called a Rent Escrow Action, which is detailed below.

Rent Escrow Action: if a landlord has failed to make necessary repairs in a reasonable time or otherwise failed in an obligation specifically detailed in the lease, this is the action you may file as a tenant.

This fact sheet is for educational purposes only. Nothing contained in this document should be construed as legal advice

Dispute Resolution

Ramsey and Hennepin Counties both have mediation services that deal specifically with landlord/tenant disputes. You may either take advantage of their services at the courthouse on the day of your hearing (which is free), or you may contact them personally and arrange a time to resolve your dispute out of court.

Resources:

Minnesota Attorney General's Office, Tenant's Rights:

<http://www.ag.state.mn.us/Consumer/Housing/LT/default.asp>

Hennepin County Housing Court: <http://www.mncourts.gov/district/4/?page=128>

Ramsey County Housing Court: <http://www.mncourts.gov/district/2/?page=53>

Homeline (free legal advice for tenants): <https://homelinemn.org/housin-resources/>

Dept. of Housing & Urban Development:

<http://portal.hud.gov/hudportal/HUD?src=/states/minnesota/renting/tenantrights>