

What is LSNM?

Legal Services of Northwest Minnesota (LSNM) is a non-profit organization that provides legal services without charge to low-income citizens. LSNM has offices located in Alexandria, Moorhead, and Bemidji providing assistance in 22 counties to individuals dealing with issues such as:

- Public Assistance (Denial of Assistance, and Disability benefits);
- Family Law (Dissolution of Marriage, Custody, and Orders for Protection);
- Consumer issues (Garnishments, Debt Collections, Repossessions);
- Health Law;
- Education Law (IEP's, expulsions, other school rights); and
- Housing (Evictions, Repairs, Foreclosures).

LSNM does not handle criminal or traffic cases, or lawsuits in which an attorney may recover a fee from someone other than their client.

Case acceptance decisions are made on a case-by-case basis considering priorities, merit, funding, and other factors.

Provided by:

Legal Services of Northwest Minnesota

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United Way of Douglas
& Pope Counties



Legal Services of NW MN
426 Broadway Street
Alexandria, MN 56308

From the Office of
**Legal Services of
Northwest Minnesota**

LANDLORD & TENANT ISSUES



*How do I get repairs done in my
rental unit?*

*I've been served eviction papers,
now what?*

My landlord changed the locks.



Repair issues

If you have repair issues, you should notify your landlord in writing of the problems and give the landlord (LL) 14 days to fix them. If not fixed within 14 days, you may file a Rent Escrow Action with the Court and ask the Court to order the LL to make repairs. You will need to have a copy of the letter you sent to your landlord. Always save a copy of any papers you send your LL. If you do not have heat, water, or another essential service, you should immediately report the problem to your landlord, and specifically tell the LL that if the problem is not fixed within 24 hours, you will file an Emergency Tenant Remedies Action with the Court.

Lock-outs

The LL cannot just change your locks. To legally remove you, the LL must obtain a Court order. If you are locked out, tell your LL it is a crime under Minnesota Statute § 504B.225 to lock you out and to please allow you back in immediately. If the LL refuses, call the police. You may also file a lockout petition with the Court. Save any receipts for extra expenses during the time you are locked out. The LL may be required to pay you.

Evictions

A landlord may file an eviction against you for not paying the rent or otherwise breaking the lease. If you are not able to pay, it is best to discuss the situation with the LL and work out a payment plan before an eviction is filed. Once an eviction is filed, you have a right to a hearing to determine if you broke the lease. If your eviction is only for nonpayment of rent, you may ask for up to seven days to pay all of the past due rent and court costs and be allowed to stay. The fact that an eviction was filed in Court will remain on your record unless expunged.

BASIC TENANT RIGHTS

UNDER MN STAT. 504B

You, as a tenant, have the right to...

- A copy of the lease (if it is in writing).
- A receipt if you pay with cash or money order.
- Exclusive use and enjoyment of the premises.
- A Rental Unit that is:
 1. Fit to live in;
 2. In reasonable repair;
 3. Reasonably energy efficient; and
 4. Up to state and local codes.
- A court hearing before your landlord can remove you. You may request an evidentiary hearing or trial and may ask for up to seven days to move if you are evicted.
- If you rent a mobile home lot or live in certain subsidized housing, you have extra rights including written notice telling you why you may be evicted before the eviction action is filed with the Court.

BASIC TENANT RESPONSIBILITIES

You, as a tenant, have the duty to...

- Pay rent (always save your receipt or canceled check);
- Follow legal lease requirements; and
- Follow laws under Minnesota Statute § 504B.

You must appear at any scheduled court hearing or you could face immediate eviction. Depending on the specific facts of each situation, it may be best to settle the matter before court. You may want to consult with an attorney.

LAWS

Both landlords (LL) and tenants (T) have rights and responsibilities.

LL/T relationships are generally governed by Minnesota Statute § 504B. Other important laws include Minnesota Statute Chapter:

- 327C (Mobile/Manufactured Home Lots);
- 144G, 144D (Assisted Living);
- 144D, 325F (Housing with Services);
- 144A (Nursing Homes and Home Care);
- 144B (Residential Care Homes); and
- 363A (Human Rights) (363A.09 sets forth types of illegal discrimination).

You may find Minnesota Statutes at www.revisor.mn.gov.

Federal laws may also apply. See www.hud.gov.



MORE INFORMATION

Civil legal rights information is available at www.lawhelpmn.org and Minnesota Court forms at www.mncourts.gov.

Additional tenant rights info available at www.homelinemn.org.

Have a legal issue? Unable to afford an attorney?

If you live in Douglas, Grant, Otter Tail, Pope, Stevens, Traverse, or Wadena County contact LSNM by calling (800) 450-2552 or visit www.lsnmlaw.org to complete an application.