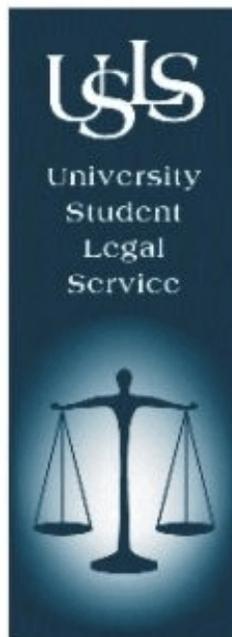


# TENANT RESOURCE GUIDE



UNIVERSITY OF MINNESOTA



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## THINKING OF RENTING?

This guide includes helpful information about your legal rights and responsibilities and sample correspondence to enable you to better protect your interests as you go through your tenancy. The enclosed booklet "**Landlords and Tenants: Rights and Responsibilities**" is a summary of MN law in plain and understandable language published by the MN Office of the Attorney General. Read it carefully before you rent, and refer to it often! The booklet is available on line at [www.ag.state.mn.us](http://www.ag.state.mn.us)

There are various practical and legal reasons why you may need to keep records and send written notices to your landlord during your tenancy. The following are examples of documents or letters you may find useful:

1. **An inventory/checklist** of the property condition at the time you move in may avoid the problem of being charged for damages you didn't do and alert the landlord of what needs repair.
2. **A notice of need to repair** should be sent to your landlord, even if you report problems by phone, so that you can document your complaint in case there is a later dispute.
3. **A vacating notice** is required of either party to a lease in order to terminate the tenancy. This notice may also include mailing instructions for return of security deposit. (If you don't have a forwarding address until later, send it in a separate letter.) For details about notice requirements, review the enclosed handbook and your lease.
4. **A deposit refund demand** may be useful if your landlord fails to send your refund or a written explanation in a timely manner after you move out.
5. Also enclosed is useful information about enforcement of city ordinances regarding **housing maintenance codes and parties**.

**BE SURE TO KEEP COPIES OF THESE AND ALL DOCUMENTS PERTAINING TO YOUR TENANCY!!**

# INVENTORY AND INSPECTION CHECKLIST

For use at check-in and check-out

## KITCHEN

Notes

- Stove/Oven
- Refrigerator
- Sink and faucet
- Garbage disposal
- Counter tops
- Cupboards
- Dishwasher
- Hot/Cold Water
- Water pressure
- Light fixture
- Range hood/fan
- Cupboards
- Walls
- Floor
- Ceiling
- Windows
- Outlets

## LIVING ROOM

- Light fixtures
- Carpet
- Floor
- Walls
- Ceiling
- Windows
- Shades & drapes
- Outlets
- Other

## BEDROOM

- Windows
- Light fixture
- Shades & drapes
- Carpet
- Floor
- Ceiling
- Walls
- Outlets
- Door
- Closet
- Other

(continued on back)

BATHROOM

Notes

- Towel/tissue racks \_\_\_\_\_
- Outlets \_\_\_\_\_
- Mirror, cabinet \_\_\_\_\_
- Sink and tub \_\_\_\_\_
- Shower curtain/door \_\_\_\_\_
- Lock \_\_\_\_\_
- Door \_\_\_\_\_
- Toilet \_\_\_\_\_
- Hot/Cold Water \_\_\_\_\_
- Water pressure \_\_\_\_\_
- Floor \_\_\_\_\_
- Walls \_\_\_\_\_
- Ceiling \_\_\_\_\_
- Window \_\_\_\_\_
- Shades/drapes \_\_\_\_\_

MISC

- Security System \_\_\_\_\_
- Keys \_\_\_\_\_
- Locks \_\_\_\_\_
- Mailbox \_\_\_\_\_
- Storms \_\_\_\_\_
- Screens \_\_\_\_\_
- Main Doors \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Landlord

Dated: \_\_\_\_\_

\_\_\_\_\_  
Tenant

***SAMPLE REPAIR NOTICE***

***Be sure to retain copies of this and any other communication between you and your landlord***

**NOTICE OF NEED TO REPAIR**

Date: \_\_\_\_\_

To: \_\_\_\_\_  
    *address* \_\_\_\_\_  
    \_\_\_\_\_

From: \_\_\_\_\_  
    *address* \_\_\_\_\_  
    \_\_\_\_\_

Please be advised that the following conditions or defects exist in our rental property and are in IMMEDIATE need of your attention and repair:

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Your prompt attention to this matter will be appreciated.

***SAMPLE VACATING NOTICE***

***Be sure to retain copies of this and any other communication between you and your landlord.***

**VACATING NOTICE**

\_\_\_\_\_ *date* \_\_\_\_\_

Mr./Ms. Landlord

*Address*

Dear M. Landlord:

This is to notify you that I am vacating Apartment No. \_\_\_\_\_ at \_\_\_\_\_ *address* \_\_\_\_\_  
on \_\_\_\_\_ *date* \_\_\_\_\_.

For the purpose of returning my deposit, my forwarding address is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Sincerely,

\_\_\_\_\_

**SAMPLE DEMAND LETTER**

***Be sure to retain copies of this and any other communication between you and your landlord.***

DEPOSIT REFUND DEMAND

\_\_\_\_\_ *date* \_\_\_\_\_

Mr./Ms. Landlord

*Address*

Dear M. Landlord:

I vacated Apartment No. \_\_\_\_ at \_\_\_\_\_ *address* \_\_\_\_\_ on \_\_\_\_\_ *date* \_\_\_\_\_.

As of this date, I have not received my deposit refund, nor have I received a written explanation.

Please be advised that you are required under state law to either provide a refund or a written explanation within 21 days of a tenant's termination and your receipt of a forwarding address. Your failure to do so subjects you to additional claims.

Please send my refund (security deposit with interest) to the address below by \_\_\_\_\_ *date* \_\_\_\_\_, so there will be no need to pursue legal action.

Sincerely,

\_\_\_\_\_  
\_\_\_\_\_ *address* \_\_\_\_\_  
\_\_\_\_\_



# Partying? ..... Beware!!



Be sure to check your lease. Does it prohibit parties? If so, any gathering could result in adverse action by your landlord, including eviction. Owner/managers of rental property are under increasing pressure from city officials, police, and neighborhood organizations to control their tenants' conduct. A number of state and local organizations are concerned about parties, underage drinking, and related problems. A good rule of thumb for renters, particularly in areas around campus, is to proceed with extreme caution if you intend to host or attend a party. You will most likely fall under close scrutiny by neighbors and police. When the police receive a complaint and make a visit to rental property, the landlord is usually notified. Your landlord may be compelled to take action against you, whether or not the police call resulted in criminal citations. In addition to possible civil action such as eviction, be aware of the following:

## CRIMINAL PENALTIES



### **NOISY ASSEMBLY**

Most cities, including Minneapolis and St. Paul, regulate noise levels and social gatherings that could be considered a nuisance. These ordinances prohibit a person from participating in, visiting, permitting, or remaining at a noisy assembly. This is commonly defined as a gathering of more than one person in a residential area between the hours of 10:00 p.m. and 6:00 a.m. that would be likely to cause significant discomfort or annoyance to a person of normal sensitivities. There could be a violation whether you entertain two friends or fifty; whether or not there is alcohol involved, and whether or not you are the host. Violation is a misdemeanor punishable by a fine of up to \$1000 and / or 90 days in jail.

### **DISORDERLY CONDUCT**

This is commonly defined as engaging in conduct that is likely to alarm, anger, or disturb others, provoke an assault, or disturb the peace. It includes fighting or engaging in offensive, obscene, or abusive language or in boisterous and noisy conduct that may arouse alarm, anger, or resentment in others. Violation of this state statute is a misdemeanor, punishable by a fine of up to \$1000 and / or 90 days in jail. NOTE: This law is broadly interpreted; police will often charge individuals who they believe are being "uncooperative."

### **ALCOHOL--UNDERAGE CONSUMPTION, PURCHASING OR POSSESSION**

Anyone who violates the following provisions may be charged with a misdemeanor and subject to a fine of up to \$1000 and / or 90 days in jail.

#### **Consumption**

It is unlawful for anyone under age 21 to consume alcohol outside of his/her parent's or guardian's home.

#### **Fake ID**

It is unlawful to give a fictitious name or fake ID to a police officer who is acting within his/her duties. It is also unlawful to present a fake ID to purchase alcohol.

#### **Purchasing**

It is unlawful for someone under the age of 21 to buy or attempt to buy any alcoholic beverage.

#### **Possession**

It is unlawful for a person under 21 to possess an alcoholic beverage with intent to consume it outside his/her parent's or guardian's home.

#### **Furnishing alcohol to persons under the age of 21**

Anyone who buys or furnishes alcohol for a person under age 21 is subject to gross misdemeanor charges and a fine of up to \$3000 and/or one year in jail.

**DRIVING HOME FROM A PARTY? Think again if you've been drinking.**



**Driving while intoxicated**

It is a misdemeanor (\$1000 fine/90 days) to drive, operate, or be in control of a motor vehicle while under the influence of a controlled substance or with an alcohol concentration above .10%. It is also a crime to refuse chemical testing if you are stopped by police. Refusal results in loss of license for 1 year. Test results over .10% results in loss of license for 90 days.

**Zero tolerance**

It is unlawful for anyone under age 21 to drive, operate, or be in control of a motor vehicle after consuming any amount of alcoholic beverage. Violation will result in loss of driving privileges for 30 days (2<sup>nd</sup> offense – 180 days) and will become a permanent part of your driving record.

**CIVIL ACTION / SOCIAL HOST LIABILITY**

**\$ \$ \$**

A civil lawsuit may be brought against anyone who is 21 or older who furnished, sold, gave, or purchased alcohol for a person under age 21 whose consumption of alcohol resulted in injury or harm to an innocent third person.

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**PARTY TIPS:**

- ✓ Before the party: Plan ahead. Try to limit the number of potential guests. It is really inviting trouble to have a party open to all comers. Be considerate of neighbors; inform them of the party, and have them contact you first about any problems.
- ✓ During the party: Make yourself available to answer the phone or respond to neighbors' concerns. From time to time check the noise level from outside to see if it could be bothering others. Keep the party inside. Control parking; do not let your guests park in the yard or block driveways.
- ✓ What to serve: Have alternative beverages to alcohol, and label your beverages. Stop serving alcohol at least one hour prior to the expected end of the party. Serve some non-salty foods that don't promote thirst. Accept each person's decision to decline alcohol; do not promote overindulgence with drinking games, etc. Take steps to limit consumption, such as designating a responsible person as bartender.
- ✓ Be responsible: Do not allow drinking to become the primary focus of the party. Make sure only those of legal age are drinking alcoholic beverages. Do not allow excessive consumption. Have phone numbers available for emergency health care, police, and taxi service. Have designated drivers available. Stop friends from driving under the influence of any controlled substance.
- ✓ After the party: Do not allow anyone to leave with an open container of alcohol. Do not allow anyone to use the great outdoors as a restroom. Clean up any litter as soon as possible. Call your neighbors to thank them for their cooperation.
- ✓ If police arrive at the door: Do cooperate; do take them seriously. Answer questions truthfully. You have the right to refuse them entry unless they have a search warrant. However, be aware that most police officers will enter forcibly if given provocation or reason to believe unlawful activity is occurring. If you are ticketed or arrested, do not argue or resist. Try to consult with an attorney as soon as possible.

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**UNIVERSITY STUDENT LEGAL SERVICE**  
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Minneapolis, MN 55455  
612/624-1001

**This information should not be considered legal advice. Consult with an attorney regarding your rights and responsibilities in a particular situation.**

## **Housing Resources/web sites**

**U of MN Dept. Of Housing and Residential Life** (612) 624-2994

**<http://www.housing.umn.edu/offcampus/>**

**Information for U of M students about living on and off-campus, and rental listings of available properties.**

**University Student Legal Service** (612) 624-1001

**<http://www1.umn.edu/usls/>**

**Information on tenants' legal rights, advice and representation for enrolled students at U of MN**

**Office of the Attorney General-State of MN** (651) 296-3353 or 1-800-657-3787

**<http://www.ag.state.mn.us/>**

**(Click on Housing, then "Landlords and Tenants: Rights and Responsibilities")**

**City of Mpls, Property Records**

**<http://apps.ci.minneapolis.mn.us/pi.app/>**

**Find owner's name, property description, and rental license history by street address.**

**City of Mpls, Inspections Division** (612) 673-5858

**<http://www.ci.minneapolis.mn.us/inspections/>**

**Information regarding enforcement of city housing code/ordinances affecting health and safety for rental property in Minneapolis**

**City of St. Paul Division of Property Code Enforcement** (651) 266-1900

**[http://www.ci.stpaul.mn.us/depts/code\\_enforcement/](http://www.ci.stpaul.mn.us/depts/code_enforcement/)**

**Information regarding enforcement of city housing code/ordinances affecting health and safety for rental property in St. Paul**

# **PAYING GOOD MONEY TO LIVE IN A CUBBYHOLE?**



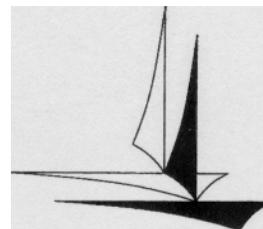
**The City of Minneapolis thinks renters deserve safe, decent, legal housing. Students are easy targets who can find themselves without a place to live if they unknowingly rent a unit that violates City housing codes.**

## **Think before you rent and steer clear if....**

The owner doesn't have a rental or lodging license posted.

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- Your bedroom ceiling is less than seven feet high.
- There isn't a smoke detector within 15 feet of your bedroom.
- You have three or more unrelated roommates living in one dwelling.
- You live in a room less than seven feet across.
- You live in a third floor attic that does not have two stairways leading to the ground.
- Your sleeping room doesn't have a window or door that leads to the outside.
- There are more than four people sleeping in a bedroom, no matter how big the room is.

To report a code violation, call the City of Minneapolis Inspection Division at 673-5858. If you are currently having a problem with your landlord, call Housing Services at 673-3003. If your dwelling is in violation of the City code, your landlord will have approximately 15-30 days to comply.



**City of  
Minneapolis**



# **Landlords and Tenants: Rights and Responsibilities**

From the Office of the Minnesota State Attorney General  
is available in PDF from their website:

<http://www.ag.state.mn.us/consumer/housing/lt/default.htm>

The forty-page book covers all aspects of renting, related laws, and additional references.