What Repairs Are Required in My Apartment?

A renter’s guide to the Housing Maintenance Code in Minneapolis

Your health, safety, and welfare as a renter is protected by the City of Minneapolis Housing Maintenance Code, Chapter 244. Your landlord has the responsibility to perform maintenance and make repairs to your apartment while you live in it.
Moving In: What to Know

When you sign a lease agreement with a landlord to rent an apartment or house, that space legally becomes your home. You have the right to live and sleep in that space with your family or roommates listed on the lease, in addition to enjoying your home with friends and guests.

Responsibilities for the rental property are shared between you, your guests, your neighbors and the landlord (including anyone employed by the landlord).

You are responsible for:
- understanding and following rules in lease agreement (before signing a lease, seek legal and/or language translation services if you do not understand or cannot read your lease)
- paying rent
- following rules in lease agreement
- not causing disrepair to the property by willful, malicious or irresponsible conduct
- not allowing your guests or anyone under your control to cause disrepair to the property by willful, malicious or irresponsible conduct
- keeping your personal property in a reasonably clean and safe condition
- documenting existing damages before moving in so you can prove you did not cause them (see ‘Other Common Questions’ on page 22)

Your landlord is responsible for:
- ensuring premises and all common areas are fit for intended uses
- following rules in lease agreement
- performing reasonable repairs during the term of the lease
- following rules on rental housing from the City of Minneapolis and State of Minnesota

Your health, safety, and welfare as a renter is protected by the City of Minneapolis Housing Maintenance Code, Chapter 244.

This guide was updated in October 2015.

Reviewed by City of Minneapolis, Department of Regulatory Services for consistency with the Minneapolis Housing Maintenance code as of October 2015.
Common Repair Problems

As a renter, you have the right to live in conditions that meet minimum standards as defined by the City of Minneapolis Housing Maintenance Code in the following categories:

- Windows & Screens (pg. 6-7)
- Interior Surfaces (pg. 8)
- Plumbing Fixtures (pg. 9)
- Electric Outlets and Fixtures (pg. 10)
- Heating Facilities (pg. 11)
- Appliances (pg. 12)
- Pest Extermination (pg. 13)
- Doors & Locks (pg. 14)
- Common Areas (pg. 15)

Key words and phrases
(Mpls Ordinances 244.40 & 244.50)

“Professional”: Whenever the words “professional state of maintenance and repair” are used in the City’s Code, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

“Properly installed,” “properly maintained,” “properly connected” or “properly constructed”: To be in conformance with such ordinances of the city applicable now or at the time of such installation that governed such installations, maintenance connections or construction.

“Supplied”: Anything in your home or building that is furnished, provided by, or under the control of the owner, operator or agent. For example closet doors or kitchen cabinets are “supplied” by the landlord.

TIP
To determine whether or not the conditions in your apartment meet minimum standards, start by asking yourself these questions:

- Do the conditions make you feel safe?
- Do the conditions make you feel comfortable?
- Do these conditions keep you from enjoying your home?
Windows & Screens

COMMON VIOLATIONS

- Take pictures of violations.
- Record each problem & when it happened

Windows

- Broken or cracked glass
- Glass is loose and rattles in frame
- Improper installation: Gaps around window frame or unable to open window freely
- Moisture or signs of water damage around frame, which may also include concerns of mold or related unsanitary conditions
- Drafty windows (or doors) without caulking or weather-stripping
- Single pane glass without a storm window
- Paint around frame is blistered, cracked, flaked, scaled or chipped away

Screens

- No screens on windows in units below 50 feet (15 meters) or for the first 4 stories of a building
- Screen mesh has holes or is torn

Mpls Ordinance 244.530 - Windows, Exterior Doors, Hatchways

Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodentproof; and shall be kept in a professional state of maintenance and repair. Every exterior window or door of habitable rooms, bath and toilet rooms shall be supplied with a storm window or storm door or the equivalent for ventilation, light and insulation.

Mpls Ordinance 244.450 - Window Screens

Openable windows in each habitable room shall be supplied with a screen. Such screens shall have a mesh of not less than number fourteen (14) and shall be hung not later than May first of each year; provided, however, that such screens shall not be required in rooms located more than fifty (50) feet above ground level.
**Interior Surfaces**

**COMMON VIOLATIONS**
- Blistered, cracked, flaked, scaled, peeling, flaking, and loose paint, wallpaper, or other interior finish
- Cabinet doors are improperly installed or are broken
- Water intrusion through walls, ceilings, or floors, which may also include concerns of mold or related unsanitary conditions

**Mpls Ordinance 244.510 - Interior Surfaces**
Every interior partition, wall, floor, door, window, trim surface, radiator and ceiling shall be kept in a professional state of repair.

**Mpls Ordinance 244.520 - Rainwater drainage.**
All rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the walls, ceilings, or floors of any portion of the dwelling or of any adjacent building or structure.

**TIP**
If children have drawn on walls, try cleaning off the marks with an eraser sponge or with other home remedies. Dirt, grime and cooking grease can be removed with vinegar and water or other cleaners. Your landlord can only charge you for repairs if they can prove that the damage was done willfully, maliciously or irresponsibly by you or someone under your control.

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**Plumbing Fixtures**

**COMMON VIOLATIONS**
- Leaky faucets, pipes, and other plumbing fixtures
- Buckets or hazardous plumbing used instead of making the professional repair in a timely manner
- Drainage or backflow problems
- Water damage to walls, floors, and other apartment units
- Inadequate water pressure or temperature
- Broken or stained toilet seat

**EMERGENCY!**
Total loss of running water, hot water, or inoperable sanitary plumbing can be considered an emergency under the law, so you can go to court to get it addressed sooner. See page 18 for advice.

**TIP**
Call your landlord or listed emergency number as soon as you notice a leak. A landlord may be able to charge you repair costs if you don’t report a leak and it damages neighboring units.
Electric Outlets and Fixtures

COMMON VIOLATIONS

- Missing or broken electrical outlet faceplates
- Missing or non-functioning smoke detectors or carbon monoxide detectors
- Defective or loose electrical outlets, plugs or switches
- Inadequate power service
- Exposed wiring

EMERGENCY!
Total loss of electricity service can be considered an emergency under the law, so you can go to court to get it addressed sooner. See page 18 for advice.

Heating Facilities

COMMON VIOLATIONS

- Damaged or dirty radiators or baseboard heaters
- Temperature in unit is below 68 degrees Fahrenheit between October 1st and April 30th
- Temperature in unit is below 65 degrees Fahrenheit between September 15th to 30th and May 1st to 15th.
- Heat not functioning at all or landlord fails to pay utility bill they are responsible for

EMERGENCY!
Total loss of heat can be considered an emergency under the law, so you can go to court to get it addressed sooner. See page 18 for advice.

Mpls Ordinance 244.420 - Electric Outlets & Fixtures

All electric outlets and fixtures shall be installed, maintained and energized by a source of electric power in a manner complying with the city electrical code applicable now or at the time such outlets or fixtures were or are installed. The electric service and all wiring shall be maintained in good condition and used in a safe manner. All hazardous wiring and all disconnected, exposed wiring shall be removed.

Hazardous wiring: All wiring except that which conforms with the applicable laws regulating the installation of such wiring in effect now or at the time of the installation, and which has been maintained in good condition and is being used in a safe manner.

Mpls Ordinance 244.430 - Heating Facilities

The owner of every building containing habitable rooms shall provide heating facilities and shall be required to see that said heating facilities are properly installed, safely maintained and in good working condition, and that said facilities are capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a minimum temperature as established herein, measured at a distance of thirty-six (36) inches above floor level, and not closer than thirty-six (36) inches from any wall at all times when the outside temperature is at the design level or above.

Hazardous heating installations: All heating installations except those which conform with the applicable laws regulating the installation of such space heating in effect now or at the time of installation and which have been maintained in good repair and working condition and are being used in a safe manner.

TIP - Space Heaters & Recording Temperatures

Using an electric space heater will significantly increase your electric bill and is dangerous because it could start a fire. Save your money and keep your family safe by ensuring your landlord makes the needed repairs to the building’s heating facilities.

Buy a thermometer to record temperatures yourself. When recording temperatures, be sure to measure at a distance of thirty-six (36) inches above floor level, and not closer than thirty-six (36) inches from any wall.
**Appliances**

**COMMON VIOLATIONS**
- Ovens, refrigerators, and air conditioners that do not function safely or effectively
- Supplied appliances not professionally installed or connected
- Doors of appliances do not close properly
- Gas leaks from stove or oven

**Mpls Ordinance 244.580 - Supplied Facilities**

Every supplied facility, piece of equipment, or utility which is required under the housing maintenance code shall be so constructed and installed that it will function safely and effectively, and shall be kept in a professional state of maintenance and repair. Appliances used for cooking, air conditioning or refrigeration, when supplied by the lessor, shall be installed and maintained so they will function safely and effectively.

- Ovens, refrigerators, and air conditioners that do not function safely or effectively
- Supplied appliances not professionally installed or connected
- Doors of appliances do not close properly
- Gas leaks from stove or oven

**TIP**

Take pictures of violations. Record each problem & when it happened.

**Pest Extermination**

**COMMON VIOLATIONS**
- Cockroaches, mice, bed bugs, other insects, vermin or pests
- Check behind appliances, inside cabinets and areas of your home that are damp and warm for pests

**Mpls Ordinance 244.600 - Pest Extermination**

Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for the extermination of insects, rodents, vermin or other pests on the premises.

**TIP**

Extermination means the control and elimination of the pests. You have the right to housing that is completely free of pests.

It is rare for pests to affect only one unit in an apartment building. Talk to your neighbors to learn if they are also suffering with pests. Document and take actions together.

Pest infestations often go on for years without being properly reported or exterminated. This means the pests have time to infest walls and the building structure. Don’t let a landlord blame you for “bringing in the problem” when the building itself is infested.

Challenge a landlord if they try to make you pay for extermination. The landlord must have documented proof that you or people under your control caused the spread of pests through willful, malicious or irresponsible actions. For example, bedbugs often travel unnoticed as they cling to fabric or surfaces so it would be hard for a landlord to prove you willfully caused the infestations.

Clean and prepare your home before a scheduled extermination to avoid service cancellation fees from your landlord.

Be mindful of bedbugs that may travel on furniture left near garbage or alley.

- Cockroaches, mice, bed bugs, other insects, vermin or pests
- Check behind appliances, inside cabinets and areas of your home that are damp and warm for pests
**Doors & Locks**

**COMMON VIOLATIONS**

- Exterior doors that are loose or allow air, water or rodents to enter.
- Automatic locks missing or damaged on exterior doors leading of the building.
- Deadbolt lock missing or damaged on entrance door to unit.
- Doors should be easily opened from inside without special knowledge or keys.
- Smoke gaskets missing or damaged on doors leading to common hallway. Smoke gaskets are material strips that prevent smoke from passing through openings during a fire.

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**Mpls Ordinance 244.1640. - Purpose (Building Security)**

The purpose of this article is to require security devices in certain buildings used for dwellings and hotels, and certain non-dwelling structures accessory thereto, as a safety, burglary and theft prevention measure. Such security devices shall be installed in a professional manner and maintained operable and effective as installed.

**Mpls Ordinance 244.1650. - Dead bolt locks.**

For the purpose of this article, a “dead bolt lock” is a locking bolt which, when in the locked position, can only be moved positively by turning a knob, key, sliding bolt, or by a mechanism activated by working a combination, except that a lock bolt moved by a skeleton-type key is excluded from this article.

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**TIP**

It is a crime for your landlord to lock you out of your home (or remove locks/doors) for any reason, including if you owe rent. The landlord can be charged with a misdemeanor crime and you can sue the landlord for damages. If you’re concerned about a lockout, keep proof of residency (an ID, a bill with your address, etc.) with you at all times and if locked out consider calling the police or contacting legal assistance (see ‘Resources’ on back page).

**TIP**

If you can prove that there are issues with pests in common areas, your landlord is required to provide pest control for the entire building.

**Common Areas**

**COMMON VIOLATIONS**

- Dark hallways without lighting.
- Missing hallways shall be adequately illuminated to grade, at any time the building is occupied so as not to endanger health or safety, with light having an intensity of not less than one footcandle at floor or grade level. In multiple dwellings containing not more than four (4) dwelling units or rooming units, there may be supplied convenient light switches controlling such a lighting system which may be turned on when needed.

**Mpls Ordinance 244.440. - Exit illumination.**

Exits in other than occupancy Group R-3 (one- and two-family dwellings) shall be adequately illuminated against to grade, at any time the building is occupied so as not to endanger health or safety, with light having an intensity of not less than one footcandle at floor or grade level. In multiple dwellings containing not more than four (4) dwelling units or rooming units, there may be supplied convenient light switches controlling such a lighting system which may be turned on when needed.

**Mpls Ordinance 244.550. - Stairways and porches.**

Every inside and all outside stairways that have four (4) or more risers shall have at least one (1) handrail, and all such stairways which are forty-four (44) inches or more in width, or which are open on both sides, shall have a handrail on each side. All handrails shall be not less than thirty (30) inches nor more than thirty-four (34) inches vertically above the nose of the stair treads or stairway platforms.

**Mpls Ordinance 244.670. - Doorbells or buzzers.**

Every multiple dwelling of four (4) or more dwelling units or ten (10) or more rooming units shall be equipped with an operable system of bells, buzzers or other signaling devices which operate from the exterior of a locked entryway and signal either within each dwelling unit and rooming unit or in the hallway or common area of each floor of the building.

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Take pictures of violations. Record each problem & when it happened.

- Broken Door Frame
- Broken Door Latch
- Broken Handrail
- Non-compliant Exit Sign

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**TIP**

If you can prove that there are issues with pests in common areas, your landlord is required to provide pest control for the entire building.
Action Steps

You have the right to repairs and the power to make them happen. Follow these steps to achieve the solution to your problem. If the problem persists or you’re unsatisfied with the response, go to the next step.

1. IDENTIFY, DOCUMENT AND DESCRIBE THE PROBLEM

Use the worksheet on pages 20-21 to record your answers.

Take photos of the problem. Use a camera that prints the date when the photo was taken.

Start talking to neighbors about if they have any problems in common with yours.

- What is the problem?
- When did it start?
- What rule in the Housing Maintenance Code do you think it violates?
- Does the problem affect other people in my building? If yes, who?
- What do you think it would take for the problem to be fixed?

2. CALL OR VISIT THE OFFICE OF YOUR LANDLORD TO REPORT THE PROBLEM

Most repair issues can be addressed by contacting your landlord and notifying them, either by phone, e-mail, text message or an office visit. Record the date and time you first contacted the landlord or their staff. Follow-up any conversation you have with the landlord with a note reviewing what was discussed, and keep a copy of the note for your records.

As a renter you have the right to privacy so anyone entering your home to do repair work must give you reasonable notice (usually 24 hours) before coming in.

3. WRITE A LETTER TO YOUR LANDLORD

By putting your problem in writing, you are taking the first step towards preparing for legal action; it gives you clear evidence that you’ve asked for a repair. A template letter for requesting repairs can be obtained from HOME Line and downloaded from their website www.homelinemn.org.

Include the following in your letter:

- landlord’s name and address (it should be listed on your lease, otherwise wherever you pay rent)
- Your name, address and apartment number
- Refer to Minnesota Statute 504B.161 Covenants of Landlord or Licensor in your letter (www.tinyurl.com/504B-161)
- Write “I am requesting repairs within 14 days to the following items or conditions.”
- List the most important repairs you want included the details you recorded in Step 1 on this page.
- End the letter with the date and your signature.

4. REPORT PROBLEM TO CITY HOUSING INSPECTIONS - CALL MINNEAPOLIS 3-1-1

Housing Inspectors with the City of Minneapolis have the authority to act in order to protect your right to safe and healthy housing. They’ll visit your home, assess any violations and write orders to the landlord for repairs to be made within 1 to 2 months.

When calling Minneapolis 3-1-1 be prepared to be asked the following questions:

- What is the property address?
- Is this a rental property?
- Are you a tenant? If so, have you notified the property owner/manager?
- If you are a tenant, is there a current court action pending?
- May I take your name and contact information?
- Please describe the issue.

Record the reference number provided to you. Within the next week a Housing Inspector from the City of Minneapolis will contact you and set a plan to visit your home. Be persistent, call with your reference number until an inspector comes to see the problem.

Make sure to be home when the inspector is scheduled to visit so you can let them in and show/explain the problem. Ask the inspector for a copy of the inspections report and orders written to be sent to you.
5. GOING TO HOUSING COURT

Going to Housing Court is easier than you think it will be, you can do it! Housing Court is designed for tenants to file cases without the need for an attorney. Involve your neighbors with similar issues and you’ll have an even stronger case.

First, determine if your repair problem is an emergency or non-emergency and then follow the arrows on what to file in housing court.

EMERGENCY REPAIR

An emergency repair problem means you have one or more of the following:
• No running water
• No hot water
• No heat
• No usable stove or oven
• No electricity
• No usable toilet
• Lack of other essential services or facilities

FILE AN EMERGENCY TENANT REMEDIES ACTION (ETRA).
Call your landlord and explain you plan to ‘file an ETRA’ or ‘seek emergency relief’ if the emergency repair is not made within 24 hours (even a voice message counts). If they don’t resolve it after 24 hours, you have the right to file an Emergency Tenant Remedies Action (ETRA) with Housing Court.

For help filing an ETRA, go to Hennepin County Housing Court located at 300 South 6th Street (Floor 3) or contact HOME Line by calling 612-728-5767.

NON- EMERGENCY REPAIR

All other repairs not listed as an “emergency repair” are considered to be non-emergency. This does not mean your repair needs are unimportant or invalid.

FILE RENT ESCROW
If a violation exists in a residential building, you the tenant may deposit the amount of rent due to the landlord with an administrator of Hennepin County Housing Court. Escrow means an account with the court where you deposit money instead of giving it to the landlord. This gives the landlord more of an incentive to make the repairs.

It is not recommended to stop paying rent to the landlord without filing a Rent Escrow at housing court. If you withhold rent the landlord can file an eviction.

In order to file for Rent Escrow, you must have the copy of a written notice you sent the landlord about the repair problem.

Call HOME Line at 612-728-5767 to learn how to file an escrow for nonemergency repairs or an ETRA. The cost for filing a Rent Escrow is $70 but a tenant can qualify for a fee waiver (IFP) in advance. If the tenant wins the case, the court will have the landlord repay the fee to the tenant.

TIP - Emergency Repair
If you receive a notice from the City that your apartment or building is condemned or there is intent-to-condemn, you may be in an emergency situation. Condemn means that the whole building is uninhabitable. If you receive notice from the City that you have to move for this or any other reason, including because your landlord does not have a rental license, seek legal assistance (see Resources on the back page).

Lack of other essential services or facilities depends on your circumstances; for example, an elevator could be essential for a disabled tenant. Consider seeking legal assistance (see ‘Resources’ on the back page).

TIP - Retaliation
Many people who rent are afraid that if they ask for repairs or assert their housing rights that their landlord will retaliate against them with an eviction, increased rent or landlord harassment. State and City laws protect renters like you from any adverse action by your landlord when you’ve asked for repairs or called a city inspector. Don’t stay quiet about the repairs that you need, you have the right to enforce your renter rights!
**Keeping Track of the Problem**

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<tr>
<th>QUESTIONS</th>
<th>First Priority Repair</th>
<th>Second Priority Repair</th>
<th>Third Priority Repair</th>
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<tbody>
<tr>
<td>What is the problem?</td>
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<td>When did it start?</td>
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<td>What rule in the Housing Maintenance Code does it violate?</td>
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<td>Does the problem affect other people in my building? If yes, who?</td>
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<td>What do you think it would take for the problem to be fixed?</td>
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<td>In what ways have you reported this problem? List dates and reference numbers</td>
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<td>What has been the response to your reporting?</td>
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Other Common Questions

What is ‘Wear and Tear’?
It is expected that as you’re living in your home you’ll use everything inside of it. Sometimes using things can cause minor or gradual damages. State law says it’s okay for there to be “ordinary wear and tear” as you live in your home.

Example: Carpet has a lifespan determined by the manufacturer. Let’s say carpet in a unit is supposed to last 10 years, and a tenant lived there 5 years. Even if the tenant completely destroyed the carpet while they were there, the landlord can only charge for half the value of the carpet (plus labor), because the carpet is only worth half of it’s original value.

Am I responsible for existing damages when I move in?
You are not responsible for any damages that exist in your apartment upon moving in. However, it is important that you document those damages before you move in so you can prove you did not cause them. Many landlords use a move-in checklist—make sure to take this list seriously and ask for a copy of the final checklist. If your landlord does not provide you a move-in checklist, use the checklist available from Mid-MN Legal aid: www.tinyurl.com/repairs-checklist. A summary of the checklist is shown on the next page.

Most importantly, take pictures of all existing conditions - use the checklist as a guide for what to document.

Is my landlord responsible for damages to my furniture/property due to failure to respond to repairs and pest extermination?
If you experience damages to your property as a result of your landlord failing to respond to a repair request such as throwing a mattress away because of bed bugs, there are legal steps you can take. Contact HOME Line for legal advice (see back page).

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<tr>
<th>PROBLEM</th>
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<td>INFESTATIONS</td>
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<td>Mice</td>
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<td>Cockroaches</td>
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<td>Bed bugs</td>
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<td>Exposed Wiring</td>
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<td>No cover plates on outlets</td>
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<td>PLUMBING</td>
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<td>No hot water</td>
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<td>Clogged pipes/toilet</td>
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<td>Leaks</td>
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<td>WINDOWS</td>
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<td>Missing/torn storm windows</td>
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<td>Broken/cracked glass</td>
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<td>DOORS</td>
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<td>No deadbolt locks</td>
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<td>Broken locks</td>
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<td>Missing/broken door knobs</td>
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<td>WALLS / CEILINGS/ FLOORS</td>
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<td>Chipped / flaking paint</td>
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<td>Holes or cracks in walls</td>
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<td>Leaky roof or ceiling</td>
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<td>FURNACE</td>
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<td>Not enough heat</td>
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<td>Gas leaks</td>
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<td>APPLIANCES</td>
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<td>Broken stove/oven</td>
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<td>Broken refrigerator</td>
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<td>OTHER AREAS</td>
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<td>Bare patches in yard</td>
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<td>Trash from previous tenant</td>
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<td>Problem with garage</td>
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Resources:
*These resources are available free of charge.

**Minneapolis 3-1-1**
Call 3-1-1 to report a problem with your rental unit to a housing inspector or for help with non-emergency City services.
Weekdays 7:00 a.m. to 7:00 p.m. | Weekends 8:00 a.m. to 4:30 p.m.

**HOME Line**
Tenant Hotline: 612-728-5767, Monday to Thursday 9:00am to 6:00pm and Friday 9:00am to 3:00pm
Provides free and confidential legal, organizing, educational and advocacy services so tenants throughout Minnesota can solve their own rental housing problems. HOME Line offers these language services: Español & Af-Soomaali.

**Mid-MN Legal Aid & Housing Discrimination Law Project (HDLP)**
Intake line: 612-334-5970, Monday to Friday 8:30am to 4:30pm
430 1st Avenue N, Suite 300 | Minneapolis MN 55401
Provides advice and legal representation for people with low income, seniors and people with disabilities who are experiencing rental housing issues including evictions, discrimination, foreclosure, accommodations for disabled Minnesotans, and Section 8 housing.

**HUD Fair Housing Act**
Intake line: 800-765-9372, leave a message at any time.
Report housing discrimination due to familial status or other reasons to the federal government. Learn more about HUD Fair Housing Act at www.hud.gov.

**City of Minneapolis Civil Rights Department**
A neutral government agency that enforces anti-discrimination law. They accept, process, and investigate complaints of discrimination related to housing as well as other areas of prohibited discrimination. To file a complaint, call 612-673-3012, visit in person at 350 S. 5th Street (Room 239) or online at www.tinyurl.com/civilrights-complaint.

**City of Minneapolis Neighborhood and Community Relations**
Most areas of Minneapolis are represented by a housing-related neighborhood organization. State law gives these organizations the authority to act in protection of your housing rights as a renter. Find your neighborhood by calling Minneapolis 3-1-1 or online at www.tinyurl.com/neighborhoods-mpls.

This guide was created by: