



## Checklist: Getting Your Landlord to Make Repairs

This checklist can help you to get your landlord to make repairs. If it's an emergency, check the [Emergency Repair Problems](#) fact sheet for what to do.

For each section, check off the items as you finish them. Depending on your situation, you may not need to do each step.

### 1. Learn About Your Rights

Your first step is to learn about your rights. We have fact sheets that can help you understand what kinds of repairs your landlord has to make and what you can do to make sure you have a safe place to live.

- Make sure this isn't an emergency. Read the first section of the [Emergency Repair Problems](#) fact sheet to figure out if your repair problem is an emergency.
- Read the [Getting a Landlord to Make Repairs](#) fact sheet.
- Read "Chapter 4: Maintenance and Repair Issues" in the [Tenants' Rights](#) booklet.

### 2. Report the Repair Issues

Your next step is to report the issue. Decide if you want to start by sending a Tenant Repair Letter to your landlord or by calling your housing inspector.

- Many people start by **sending a Tenant Repair Letter**. The good thing about doing this is that the landlord has to make the repairs sooner.
  - Some people **call the housing inspector**. The good thing about doing this is that the inspector is a neutral third party who can document the repair issues.
- Send a Tenant Repair letter

Tell your landlord about the repair issues. Read your lease to see if it says how to report repair issues. Some landlords tell you to report repair issues through an online portal. If you use an online portal to report the issues, take a picture or a screenshot of it so you have a record that you did it and what it says. If you already told your landlord about the issue in a text, take a screenshot of the text.

If your lease says to report issues by letter, or doesn't say how to report issues, you

can fill out the [Tenant's Repair List letter](#) and send it to your landlord.

Make sure it says your landlord has **14 days** to fix the problems after getting the letter. Remember to sign, date, and keep a copy.

It's a good idea to send the letter by "Certified Mail." Certified Mail gives you proof that you mailed the letter. Also, the person getting the letter has to sign for it so there is also proof that they got it. To send Certified Mail go to the [post office](#) and tell them you want to send it as certified mail.

## **OR**

- Call your housing inspector

In Minneapolis, call 3-1-1. In St. Paul, call (651) 266-8989. In other parts of the state you can call 2-1-1, or 1- (800) 543-7709 to see if your city has a housing inspector.

Plan to be home when the housing inspector comes. You can tell them about the repair issues you're having so they don't miss anything.

Inspectors usually give landlords 30 days to fix non-emergency repair issues. Ask for a copy of their report.

- Call your local legal aid (877-696-6529) **if your landlord retaliates against you.**

It is **illegal** for your landlord to retaliate against you (get back at you) for reporting repair issues.

### **3. File Your Rent Escrow Case in Court**

If the deadline on your letter or from the inspector passes and your landlord still hasn't made the repairs, you can file a Rent Escrow action. You don't need a lawyer. You can do this on your own. The court can order your landlord to make the repairs and give you some or all of the rent back that you gave to the court.

- Pay your rent to the landlord until you file your Rent Escrow action.
- Fill out the [Rent Escrow](#) form.
- Pay the filing fee or ask for a fee waiver.

Check the [Court's website](#) to see what the fee is for your county. If you can't pay the filing fee, fill out a [Court Fee Waiver](#).

- Gather all your paperwork

You need:

- the Rent Escrow form that you filled out,
- the Court Fee Waiver if you did one, and
- a copy of the Tenant’s Repair List letter you gave to your landlord **OR** the inspection orders from the city inspector.

- Make 3 copies of everything.

#### 4. File the Rent Escrow Form

- Find your [county courthouse](#).
- Bring all the rent that is due (cash, money order, or certified check).

You don’t need to wait until your rent is due to file a Rent Escrow. But you must pay all the rent into court when it is due.

- When you get to the courthouse, find the Information Desk or the Court Clerk. Ask them for instructions on how to file a case.
- Get your court date.

After you file your papers, the Court Clerk gives you a Notice of Hearing for Rent Escrow. The Notice has your court date on it. The court date is 10-14 days after you pay the rent into court.

#### 5. Tell the Landlord When the Court Date Is

- Figure out how you need to "serve" your landlord

You have to tell the landlord about the case and the court date. This is called “Service of Process” or "Service." Service can happen a couple of ways. It depends on the number you put in the Rent Escrow form for your estimated cost of repairs.

If your **estimated repair costs are UNDER \$15,000**, the court clerk takes care of serving the landlord. *Skip to the next section.*

If your **estimated repair costs are OVER \$15,000**, you have to serve your landlord. You have to serve your landlord between **5 and 10 days before the court date**. *Do the rest of the steps in this section.*

- ☐ Pick someone to “serve” your landlord. They need to hand the *Notice of Hearing for Rent Escrow* **in person** to the landlord. This person "serving" has to be:
  - Someone you trust,
  - At least 18 years old, and
  - Not you or anyone who lives with you.
- ☐ Have the person “serving” your landlord give the landlord the papers **between 5 and 10 days before the court date**.
- ☐ After the person serves the landlord, have them fill out an [Affidavit of Personal Service](#) right away and give it to you.
- ☐ Go back to the courthouse. File the Affidavit of Personal Service **at least 3 days before your court date**.

## 6. Get ready for IN-PERSON court

- ☐ Watch the video: [6 Tips for Going to Court](#)
- ☐ **Do you need an interpreter?** If you need an interpreter for your hearing or trial, ask for one from court administration at [the court](#) where your hearing or trial is.
- ☐ **Write a list** of everything you need to say.
- ☐ **Practice** explaining what happened to a friend, like you are in court.
- ☐ Talk to **witnesses** and ask them to come to the hearing. Testimony in court is much better than a written statement from them.
  - If an important witness won't come, ask the court administrator for a “[subpoena](#).” A subpoena is an order to come to court or bring evidence to court. Check your *Notice of Hearing* for the number to call. If you can't find it, look it up on the [court's website](#).
- ☐ If the **defendant has papers or evidence they won't give you**, ask the court clerk about a subpoena for evidence. For more information see [Minnesota Court Info on Subpoenas](#).
- ☐ **Gather and organize your evidence** for court. Evidence could be things like photos, letters, receipts, estimates, and leases.

You need to prove your case and show evidence about the amount of money you

should be paid.

Make sure you have your **original copy and print 2 extra copies** of each piece of evidence.

- Make sure you know **how to get to the courthouse**. Plan how to get there. If you drive, make sure you know where to park.
- Make plans for **time off from work** and **childcare** for the day of the hearing. Your *Notice of Hearing* has a time on it, but your case probably won't start at that time. It's possible you might be there all day.
- Watch a Rent Escrow hearing before your court date to see how they work. Call the [court administrator](#) to ask how you can watch a hearing.

## 7. Get ready for **ONLINE** court

- Write a list** of everything you need to say.
- Do you need an interpreter?** If you need an interpreter for your hearing or trial, ask for one from court administration at [the court](#) where your hearing or trial is.
- Practice** explaining what happened to a friend, like you are in court.
- Talk to **witnesses** and ask them to be at the hearing. Testimony in court is much better than a written statement from them.
  - If an important witness won't agree to be at the hearing, ask the court administrator for a "[subpoena](#)." A subpoena is an order to come to court or bring evidence to court. Check your *Notice of Hearing* for the number to call. If you can't find it, look it up on the [court's website](#).
- If the **defendant has papers or evidence they won't give you**, ask the court clerk about a subpoena for evidence. For more information see [Minnesota Court Info on Subpoenas](#).
- Gather and organize your evidence** for court. Evidence could be things like photos, letters, receipts, estimates, and leases.

You need to prove your case and show evidence about the amount of money you should be paid.

Your *Summons* should tell you how to submit your evidence for online court or who to

call for more information.

- Make sure you know **how to log on to the online hearing**. Check the *Notice of Hearing* or call court administration if you have questions about how to join the online hearing. The court's website also has [information on online hearings](#).

If you don't have a computer, check if there is a free [Legal Kiosk](#) you can use.

- Make plans for **time off from work** and **childcare** for the day of the hearing. Your *Notice of Hearing* has a time on it, but your case probably won't start at that time. You could be online for several hours.

If you can't find childcare, make sure your kids won't interrupt you while you are online.

- Watch a Rent Escrow hearing before your court date to see how they work. Call the [court administrator](#) to ask how you can watch a hearing.

## 8. At the Hearing

The court probably won't decide your case at the hearing. You usually get the decision in the mail after the hearing.

- Be early!** If you are late or not logged on, you might lose your case.
- Try to settle with your landlord.** You can even settle right before your hearing. Think about a fair compromise and suggest it to your landlord.

**Put any agreement in writing!** Both parties must sign and date it. Take the agreement to court on your hearing date, and have the court make it into an order. This helps protect you in case there is a disagreement later.

- At the hearing, be **very** polite to the judge and the defendant. **Don't interrupt** when others talk. Don't get mad at what the defendant says. **Your case depends on the impression you make!**

## 9. If you need more help

Your local **legal aid office** may be able to give you free help if you qualify. Call 1(877) 696-6529 (877-MY-MN-LAW).

Go to **LawHelpMN's** [Providers and Clinics search](#) to look for other programs that may help.

If you don't qualify for free or low-cost legal help, you can use the [Minnesota Lawyer Referral and Information Service](#) to get a referral for a paid lawyer.

You can get free legal advice from **HOME Line**: (612) 728-5767 or 1-(866) 866-3546 or by visiting [www.homelinemn.org](http://www.homelinemn.org).

You can contact the **Minnesota Attorney General**. Call 651-296-3353 or 1-800-657-3787 OR fill out the [Minnesota Tenant Report Form](#).

***Checklists are legal information NOT legal advice. See a lawyer for advice.***

*Don't use this checklist if it is more than 1 year old. Ask us for updates or alternate formats.*

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