



Tenant Hotline

Phone: 612-728-5767

Online: [homelinemn.org/email](mailto:homelinemn.org)

Turning Up the Heat Heating Rental Properties in Minnesota

October 26, 2022 — 1:30-3:00pm

Housing Attorney Matt Eichenlaub

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What is HOME Line

HOME Line Tenant Hotline:

612-728-5767

Toll-free: 866-866-3546

Para Español, llame al 612-255-8870

Af- Soomaali wac 612-255-8860

Hais lus Hmoob, Hu 612-255-7104

Online: homelinemn.org/email

Heat Calls: An Annual Tradition

- Earliest Calls in September
- Latest calls in May
- What about Air Conditioning?
- Heat Code Database

Where are the Rules?

- City Ordinance
 - Fixed Date Method
 - Variable Date Method
 - Year Round
- State Wide Ordinance?
 - Not Yet
- 504B.161
 - It's a default

What Do Codes Require?

- Capable of Maintaining a Minimum Temperature
 - Often between 65 and 70 degrees
- Often an exception for extremely cold weather
- Usually around minus 20
- Outliers?
 - St Paul has some repair and deduct language
 - Others are specific about what rooms need heat

Fixed Date Method

- Heat Code in effect during particular times of year
- Eden Prairie, St. Paul, St. Cloud, Virginia
- Common Windows
 - October 1 - May 30
 - September 1 - June 1
 - October 15 - April 15 (St Paul)
- Minneapolis
 - October 1 - April 30: Keep at 68
 - Sept 15 - 30 and May 1 - May 15: Keep at 65

Variable Method

- Heat Code depends on the weather
- Rochester, Rosemount, Thief River Falls, Shakopee are a few examples
- In effect when the temperature is below 60 degrees

Year Round Method

- Bloomington, Fridley, Lakeville, Richfield, Worthington
- A temperature of at least 68 degrees F must be maintained throughout the year.

How Cold is too Cold?

- It isn't about how it feels, you want to measure
- Below 60°
 - Emergency Tenant Remedy Action
- Above 60°
 - Rent Escrow

How Do You Measure?

- Video!

It's Cold, Really Cold

- Emergency Tenant Remedy Action
- 24 hour notice of repair
- Court Form available online, Filing fee \$285
- Hearing relatively quickly

It's Cold But Not That Cold

- Rent Escrow Action
- 14 day repair letter
- Can file on day 15, Filing fee is \$75
- Hearing in about 2 weeks in normal times

Remedies

- Court Orders Repairs
- Allow Repair and Deduct
- Award Damages Past, Present and Future
- Appoint an Administrator
- Other?

What If. . .

I used electric space heaters instead of a furnace?

I have to stay in a hotel?

The pipes freeze?

I just pay out of pocket?

Other?