

# COVID-19: Renter's Rights and the end of the Eviction Moratorium

The eviction moratorium in Minnesota ended. If you owe rent, you can get help to protect you from eviction through [RentHelpMN.org](https://renthelpmn.org). This fact sheet explains when evictions can start, for what reasons, and what you can do to get help.

NOTE: A notice to end your lease is not the same as an eviction. If your landlord said your lease is ending, go to the section below about Leases to learn about your rights.

## What happens now that the Peacetime Emergency is done?

Some evictions are allowed again, starting June 30, 2021.

## Can my landlord evict me?

Maybe. Landlords can file some eviction cases in court. But there are a few new rules because of COVID and the eviction moratorium to help renters.

In general, there are different reasons why a landlord would evict someone. How soon the landlord can file to evict you depends on **why** the landlord is evicting you.

## How soon can my landlord evict me if I haven't paid rent?

If you haven't applied for rent assistance through [www.RentHelpMN.org](https://www.RentHelpMN.org), do it now! You get more time to stay in your home if you get rent assistance OR if you applied for rent assistance and are waiting for them to decide about your application. If you apply for rent assistance, your landlord can't file for eviction until September 13, 2021. And then can only file if you got turned down for rent assistance or still haven't paid.

See the "Overdue Rent & Rent Assistance" section below for more details about evictions and unpaid rent.

## Why else could I be evicted?

You can get papers for eviction if your landlord says you did one of these things:

- Caused serious danger to others
- significant damage to property
- violations of the law, like: illegal drugs, illegal guns, prostitution or stolen property
- didn't pay rent **and** you're eligible for rent assistance **but** don't apply for rent assistance or won't show landlord that you applied for rent assistance.

The landlord has to file an eviction in court and follow the rules for an eviction. If you get an eviction notice for one of these reasons, make sure you **go to your hearing**. Your hearing might be in person, or it might be virtual. The eviction process in Minnesota is very fast. Get legal advice right away. Read our [Evictions](#) fact sheet for more information.

## **What are the rules for eviction?**

The court papers for an eviction are called a Summons and Complaint. You must get the court papers at least 7 days before the court hearing.

BUT, if your eviction is for not paying rent, a new rule says the landlord has to give you **15 days notice** instead of 7 days. The rule about 15 days notice goes until October 12, 2021 and the notice they give you has to say:

- That the moratorium ended and you may be evicted
- Total amount of rent you owe
- How to access rent assistance (211, RentHelpMN)

It is hard to know what will happen in court. They decide if you have to move, how much time you might have to move, if you have to pay rent that you owe, or if you can stay in your current home after the court hearing. But the eviction process in Minnesota is very fast. Get legal advice right away. Read our [Evictions](#) fact sheet for more information.

NOTE: Undocumented people have all the same housing rights when it comes to housing and evictions.

## **Can I be evicted for violating my lease?**

Yes, your landlord can file an eviction for breaking an important rule in your called “material breach of lease” on or after July 14, 2021. They must follow the regular rules for evictions. They can also tell you they are ending or not renewing your lease because of this.

## **Can the landlord evict me without going to court?**

**No.** A landlord has to go to court first and follow the law for evictions. A landlord cannot lock you out or do something else to make you leave. **If this happens, call the police (911) and call your Legal Aid office right away.** See our fact sheet [Lock-Outs and Shut-Offs to Evict Are Illegal](#).

## **Can the Sheriff remove me from my home with a “writ of recovery”?**

If you lose your eviction case, do not follow a settlement agreement, or miss court, the judge can order a “writ of recovery.” This is the paper that gives the sheriff permission to come force you leave. **If you think the court made a mistake and you should get to stay, call your Legal Aid office right away.**

NOTE: If you have a writ that was on hold because of the pandemic, it could be enforced at anytime. Contact [Legal Aid](#) right away if the Sheriff is trying to remove you from your home.

## Overdue Rent & Rent Assistance

### How soon can my landlord evict me if I haven't paid rent?

If you haven't applied for help with rent through [www.RentHelpMN.org](http://www.RentHelpMN.org), do it now! You get more time to stay in your home if you get help or if you applied for help and are waiting for them to decide about your application. If you apply for rent assistance, your landlord can't file for eviction until September 12, 2021. And then can only file if you got turned down or still haven't paid.

There is also a national law from the Centers for Disease Control (CDC) that protects you from eviction until July 31, 2021. Under this law, if you can't pay your rent because of the Pandemic, you can't be evicted. If you aren't eligible for rent help, this national law still protects you until July 31, 2021. If that happens, you have to give your landlord a letter. The letter needs to have information in it about your situation. Here is the CDC form:

[https://www.cdc.gov/coronavirus/2019-ncov/downloads/EvictionDeclare\\_d508.pdf](https://www.cdc.gov/coronavirus/2019-ncov/downloads/EvictionDeclare_d508.pdf).

### What if I don't apply for rent assistance?

If you are eligible for rent assistance but you **don't apply** or you don't give your landlord information that you did apply, then you can be evicted. **Apply for rent assistance!**

### What if I get turned down for rent assistance?

If you apply for rent assistance, but they say you are not eligible then your lease can be ended, or you could be evicted. You have some time to catch up on rent before this happens.

If you aren't eligible for rent assistance **and you haven't paid your rent**, your landlord can:

- End or not renew your lease starting August 13, 2021
- File an eviction on or after September 12, 2021

The rule says your landlord can't evict you if you are still waiting for an answer about your rent assistance application. Just because your rent assistance application is still pending *doesn't mean you've been turned down*.

### What if I apply for rent assistance and don't have an answer yet?

If the reason your landlord wants to evict you is because you haven't paid rent **AND** you applied for rent assistance, you can't be evicted while you're waiting for a decision on your application.

You can't be evicted until either **June 1, 2022** or your application has been decided, whichever happens first.

If they ask, you have to give your landlord or the court:

- Proof that you did an application for rent assistance
- The reason for the delay in processing your application if you can get that information from RentHelpMN.org.

### Who is eligible for rent assistance?

Visit <https://www.RentHelpMN.org/learn-more> if you have questions about who is eligible and how the application works. If you aren't sure if you're eligible: **apply for help!**

## Ending a Lease or Repair Problems

If you have a question or a problem with your landlord, always start by looking at what your lease says. It should say how long the lease lasts, how much notice is needed to end the lease by either you or your landlord, when your rent can go up, if you can be charged a late fee for paying rent late and other rules.

### What if my lease ends soon, or my landlord gave me a notice to move?

Your landlord can end your lease but they have to give you the amount of notice that's written in your lease. **A notice to end your lease is not the same as an eviction.** A notice to end your lease or notice to move means your lease is not being renewed and you need to move out by a certain date. If you don't move out by that date, that is called "holding over."

If you "hold over" and don't move by the deadline, then your landlord might file an eviction against you if you are still living there. They might also charge you rent for the extra time you stay.

Look at your lease carefully to see what happens if you stay after the lease term ends. If you keep paying rent and the landlord keeps accepting the rent, it might extend your lease.

Read our [Notices to Vacate and Ending a Lease](#) fact sheet for more information.

### My landlord said they are ending the lease because of a "material breach," can they do this?

The landlord can end your lease if you broke an important part of the lease. That's what "material breach" means. They have to tell you what the violation was.

### What if my home needs repair?

Even if you are behind on rent, you have the right to ask for repairs.

For an emergency repair, like no running water or hot water, no heat, or a missing door or lock, start by calling your landlord. If your landlord doesn't fix it within 24 hours, **call your Legal Aid office right away.** See our fact sheet [Emergency Repair Problems](#).

If you need a repair for something that is not an emergency, start by telling your landlord in writing of any repair problems. If your city has an inspections department, you can call them too.

If the landlord doesn't make the repairs after 14 days, you might be able to file a court case. **Call your Legal Aid office** to learn more. The court in your county might have special court rules for renters who need help with repairs. See our fact sheet [Getting a Landlord to Make Repairs](#).

It is illegal for your landlord to shut off your water, electricity, or gas on their own. If your landlord does this, call Legal Aid right away.

**Fact Sheets are legal information NOT legal advice. See a lawyer for advice.**

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

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