



## Shared Utility Meters

### What is a shared utility meter?

A utility meter measures how much electricity, gas, or water is being used. A shared meter is a single meter that measures what is being used by 1 apartment or unit, and some space outside that apartment. That space could be another apartment or the common areas of an apartment building or duplex.

Examples of shared meters: a building where one meter covers 2 apartments, or a meter that covers 1 apartment and a basement that is shared by everyone in the building. If you are not sure if you have a shared meter, ask your utility company to check and tell you.

### Whose name should be on the bill? How is it paid?

Minnesota law says that the landlord has to pay the bill for a shared meter.

The bill for a shared meter should not be in the tenant's name, except in one situation. If the meter that measures the tenant's electricity also measures a small amount of electricity outside the unit, that account can be in the tenant's name. The small amount would be something like a couple of hallway light bulbs. This rule applies only to electricity use, and does not apply to other utilities, like natural gas.

You should not make payments to a utility company for an account in the landlord's name, including a shared meter account.

But, if the landlord does not pay a bill and the utility company threatens a shutoff, you may need to make part of a payment to keep your service on. If this happens, you can deduct what you have paid from your next rent payment (see below- What if my Landlord Hasn't Paid and a Shut-off Notice is Posted?). Call the utility company if you think you are paying a utility bill for a shared meter.

There are different ways that you may have to pay for your part of a utility bill on a shared meter. Utility costs could be added as part of your rent in your lease, or you could be asked to pay part of a shared meter utility bill to the landlord separately from your rent.



## The landlord wants me to pay separately for the shared meter. What are the rules about this?

If your lease says that you pay the landlord separately from your rent for shared meter utilities, there are rules.

- When you apply for an apartment with a shared meter, the landlord has to give you notice of the total utility cost for the building. The notice must have the utility costs for each month of the most recent calendar year.
- There must be a written agreement in your lease with a fair way to divide up the utility bill between you and anyone else using utilities on the shared meter.
- Your lease must state that, **if you ask for it**, your landlord has to give you a copy of the actual utility bill for the building and a copy of each divided utility bill.
- **If you ask**, your landlord must give you copies of actual utility bills for any period of time you lived there and got a divided utility bill.
- If the lease is for 1 year or more, you and your landlord could agree on a budget plan. You would have monthly payments that are the same all year. They are based on an estimate of the yearly bill.
- By September 30 of each year, the landlord must tell you in writing about the Energy Assistance Program. The information must give you the toll-free telephone number of the agency.



If the landlord does not follow the above rules, you do not have to pay the bill or pay the landlord back for paying it.

## What if I am paying on a shared meter, but shouldn't be?

If your name is on the utility bill and you are on a shared meter, the landlord should be paying. Call the utility company right away to report the problem. You can sue the landlord to get your money back. Your claim can include a penalty of \$500 or 3 times what you paid, whichever is more. You can also ask a judge to order the landlord to take over responsibility for the bill.

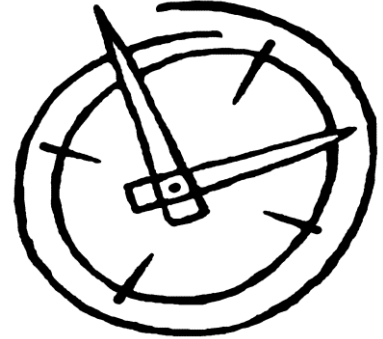
A rent escrow action is one type of court case that you can use to deal with shared meter problems. At least 14 days before filing the case, you must give your landlord written notice of the shared meter and what you have paid. Keep a copy of the notice you give the landlord. You can also have the utility company and a housing inspector notify the landlord of the shared meter. The inspector gives the landlord a deadline. If the deadline passes you can file a rent escrow action. For more information on rent escrow actions, see our fact sheet, [Getting Your Landlord to Make Repairs](#).

### **What if my landlord hasn't paid and a shut-off notice is posted?**

If a utility shut-off notice is posted because of an overdue bill that the landlord has not paid, you can file an emergency relief action. This is also called an emergency tenant remedies action (ETRA). Give your landlord a 24-hour notice of the problem, and that you are going to file the case if the bill is not paid.

Our fact sheet, [Emergency Repair Problems](#), has more information.

You can also give a 48-hour written notice to your landlord that you are going to pay the bill and deduct it from rent. Send the notice to the landlord in a letter and keep a copy for yourself. After you pay the bill, you need to send a copy of the receipt that you paid to the landlord.



There is more information in our fact sheet, [Utility Shutoffs When the Landlord Owes the Bill](#).

### **What if I paid on a shared meter where I used to live?**

If you move out of an apartment where you paid for service on a shared meter that the landlord should have paid, you can file a claim in Conciliation Court. You do not need an attorney if the total claim is \$15,000 or less. If the claim is higher, you can sue in district court.

See our fact sheet [Conciliation Court](#).

**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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