



## Looking for an Apartment

### 1. Look for For-Rent Signs

Many landlords don't advertise in the papers or online. You may need to walk or drive around different neighborhoods, looking for *For-Rent* signs.

### 2. Look for Housing You Can Afford

If you have a low income, you may be able to get an apartment where you pay a lower, "subsidized" rent. Get a list of public and subsidized housing in your area. United Way's 2-1-1 can help. Dial 2-1-1 statewide or 651-291-0211. You can also send a text message with your zip code to 898-211 or chat online at [www.211unitedway.org](http://www.211unitedway.org).



### 3. Get Help

There are agencies that offer free lists of apartments and other help in finding a place. Call 2-1-1 statewide. You can search for housing online at [www.housinglink.org](http://www.housinglink.org).

### 4. Make a Good First Impression

When you call about an apartment, make sure that your house is quiet. Dress nicely when you go to look at the apartment. If you can, get childcare so you can focus on making a good impression on the landlord.

### 5. Watch Out for Discrimination

It is illegal for a landlord to discriminate against you because of your race, because you have children, because you get welfare, or because you have a disability, and other reasons. See our fact sheet, [Housing Discrimination](#).

If you feel like it's discrimination, look for help right away. Contact:

- your legal aid office at 1-(877) 696-6529 (877-MY-MN-LAW)
- the Minnesota Department of Human Rights at 1-(833) 454-0148 or <https://mn.gov/mdhr/intake>
- the US Department of Housing and Urban Development (HUD) at 1-(800) 669-9777. [http://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp](http://www.hud.gov/program_offices/fair_housing_equal_opp)
- or look for other help at [www.lawhelpmn.org/providers-and-clinics](http://www.lawhelpmn.org/providers-and-clinics).

## 6. Get a Good Reference from Your Current Landlord

Talk to your current landlord before you start looking. Make sure you can get a good reference. If you have problems with the landlord, try to clear them up now so that you don't get a bad reference. If your landlord is going to give you a bad reference, look for someone else to give you a good reference. It could be a different landlord you had, an employer, a religious or community leader, or some other respected person. Be ready to explain why your landlord won't give you a good reference.

## 7. Don't Waste Time or Money on Applications Unless You Have a Good Chance of Getting the Apartment

Read the application before you fill it out. Application fees should be used by the landlord to do things like pay for rental history and credit checks on you. Always ask for a receipt for the application fee. The landlord has to give you one. If the receipt is part of the application form, make sure you get a copy of the application.



Before a landlord can take an application or screening fee, they must give a list of criteria (standards) they use to decide who to accept as a tenant. This has to be **in writing**. Keep this list. It is important because the landlord doesn't have to return your application fee if they decide not to rent to you because of any of the things on the list.

They also have to give you the name, telephone number, and address of the tenant screening service they use to get information about you.

If they decide not to rent to you, they have to tell you why within 14 days of turning down your application. For more information about what to do if you get turned down, see #10 below, "If You are Turned Down, Find out Why."

If there is something in the list of criteria that might make a landlord turn you down, tell them about it before you apply. It could be an eviction, criminal history, bad credit, or bad relationship with a prior landlord. A good landlord will tell you up front that they won't rent to you because of it.

- If the landlord knows or should know that the apartment you want to rent is not available when you apply, they can't charge an application fee.
- If the apartment is available but other people applied for the same apartment before you, the landlord has to screen the others first.
- If someone who applied before you ends up taking the apartment the landlord has to give you back the application fee.
- If you are turned down for the apartment for a reason that is NOT in the list of criteria, the landlord has to give the money back.
- If the landlord does not use the whole fee to run the background checks and other things to process your application, they have to give back the part they did not use.

## 8. Don't pay a "pre-lease deposit" without an agreement in writing

Some landlords ask for a deposit to "hold" an apartment before you sign the lease. This is called a "prelease deposit." A landlord can't take a prelease deposit unless there is an agreement in writing with you. The agreement says what happens with this money if you don't get to rent the apartment or house.

**This agreement is something different from the lease and the landlord must give you this paper BEFORE you pay the prelease deposit.**

Read it before you sign it. The agreement must say:

1. under what conditions the deposit will be returned to you and
2. that the deposit will be returned to you within 7 days if one or more of the conditions happen.

**For example**, the agreement might say that if the landlord turns you down the deposit will be returned to you in 7 days. Or the agreement could say that if the landlord decides to rent to you, but you decide not to take the apartment, they don't have to return the deposit.

If the landlord does not give you a written agreement, you can sue to get the deposit back. The penalty is the amount of the deposit plus  $\frac{1}{2}$ . If you do sign a lease and move in, the landlord must credit the "hold" money to your security deposit. If you don't move in, you may lose the money. If you rent the apartment, the landlord has to put the pre-lease deposit toward your security deposit or your rent.



## 9. Fill Out Applications Carefully

You usually have to list where you lived for the past 2 or 3 years. Make sure you get all the addresses and dates right, and don't skip anything. Even places where you only stayed for a month or two. If you do, the landlord may turn you down for a false or incomplete application. Make a list of these places and bring it with you when you apply so you don't forget anything.

## 10. If You Are Turned Down, Find Out Why

If the landlord used a tenant screening agency or credit bureau, they have to tell you which one they used. Call the agency right away to ask for a free copy of your report. If you wait more than 30 days, you may have to pay. You have the right to fix any mistakes and to explain any evictions. For more information see our fact sheet, [Tenant Screening](#).

If you have an eviction on your record, you might be able to get it expunged. This means removing it from your record. See our fact sheet [Expunging an Eviction Case](#).

## 11. You Can't Be Denied Based On Certain Eviction Cases

A landlord can't deny your application based on:

- an eviction case before you go to court OR before the judge has made a decision in the case.
- an eviction case that doesn't show up in the court's public records or has been expunged or destroyed.
- any eviction action if the court didn't issue a writ of recovery and order you to move out (vacate)

## 12. Never Rent an Apartment You Haven't Seen

It is not good enough for the landlord to show you one "just like it." If your landlord tries to make you move into a different apartment than the one you saw, this might be a sign of discrimination. See #5 "Watch Out for Discrimination" above.

## 13. Inspect the Apartment Carefully Before You Sign the Lease

Use the attached checklist to go through the apartment. If there are any problems, have the landlord sign the checklist and agree to fix them before you move in. Save this checklist until you move out of the apartment. It may help you get your security deposit back. Look for another place if there are repair problems and the landlord won't agree in writing to fix them.

## 14. Move-In Inspection with the Landlord

If you do move in, you have the right to meet with the landlord for a move-in inspection. You and the landlord need to agree on a day and time that works for both of you. The landlord has to tell you about this right within 14 days of moving in. **Beware!** Once tenants move in, landlords are not likely to fix repair problems that were there before a lease was signed, even though they are responsible for fixing them. If that happens, see our fact sheet [Getting a Landlord to Make Repairs](#).

**IMPORTANT:** Be careful that you don't rent from a landlord whose rental building is being foreclosed. If you move into a building in foreclosure, you will probably have to move again soon. If you got emergency assistance, you don't want to waste it on a place where you won't be staying for at least a year.

Ask the landlord if the building is behind on mortgage payments or is being foreclosed. You can also call your county Sheriff's Department to find out if the building has been through a sheriff's sale. A sheriff's sale means that there has been a foreclosure, and you will probably have to move in the next 6 months or less. If you live in Hennepin County, you can find out about a sheriff's sale at the Hennepin County Sheriff's Department's webpage.

Go to <https://foreclosure.hennepin.us/ForeclosureOnline/foreclosures>.



## 15. Watch Out for Bad Landlords

Don't rent from a landlord who won't give you their full name. Don't rent from a landlord who only gives a P.O. Box for an address. A landlord must give you a street address. Don't rent from a landlord who won't give you a phone number.

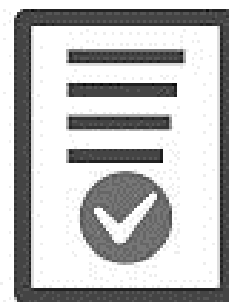
Watch out if the landlord says that they have to evict the current tenant before you can have the apartment. If you have any doubts, ask the neighbors if the landlord is good. Some cities have a license program for rental properties. Call the city office where the apartment is. Ask if it has a rental licensing program. Ask if they can give you any information about the landlord. Look online for reviews about the landlord. You can sometimes find them on websites that advertise the property. Or do a search of the management company or landlord and see if there are any reviews.

## 16. Read the Lease Carefully

Check who pays for gas, lights and water. If your building has more than one unit and you pay utilities, find out if there are separate utility meters. Sometimes they divide the bills up between the tenants. If the bill is divided, they have to tell you in writing **before you rent** how much the monthly utility bills have been for the entire building. It needs to show the amounts for the year before you plan to move in. They also have to tell you when you will be billed and how the costs are divided up. See our fact sheet [Shared Utility Meters](#).

Check who is responsible for snow shoveling and lawn care. Your landlord can't make you do these things unless you get a rent reduction of some sort.

You can ask the landlord to make changes in the lease before you sign it. You and the landlord should put your initials next to each change.



## 17. Always Get Receipts and Don't Lose Them

Any time you give money to a landlord, get a written receipt signed and dated by the landlord. It should say how much you paid and what you paid for. It does not have to be on a special form. Keep these receipts. Your landlord has to give you a written receipt right away when you pay cash in person. If you don't pay the cash to your landlord in person (like if you put it in a drop box) the landlord has to give you a written receipt within 3 business days of getting the cash.

**If you pay your rent by money order, you still need a receipt from the landlord** because the money order stub only shows that you bought the money order. It does not show that the landlord got it. Keep the receipt and all of the money order receipt stubs and/or copies of money orders filled out showing they were made payable to the landlord.

It is important to keep all receipts and documents for all payments and agreements. You might need this information if your landlord claims you did not pay your rent. These papers could prove you paid your rent, and the landlord is wrong. If your landlord ever files an eviction against you, bring all the receipts with you to the hearing.

## 18. Give Proper Notice to Your Current Landlord

If you are renting month-to-month, you have to tell your current landlord a full month plus one day before you are going to move out. You have to do this unless your lease says something different. Check your lease to be sure because some leases have a longer notice period. Send a letter and keep a copy. It is **not** good enough to tell the landlord you are moving by phone or in person. A landlord could keep your security deposit or even charge you more than the deposit for not giving proper notice. For more information see our fact sheet [Notice to Vacate and Ending a Lease](#).

## 19. Pay Your Last Month's Rent

You can't use your security deposit as your last month's rent. If you do, the landlord can evict you. The landlord can also sue you for the rent and give you a bad reference. You can only move without paying the last month's rent if the landlord charged you for it in advance. This is different from a security deposit.

The law is different if your landlord is losing the property because of foreclosure or because the landlord's contract for deed is being canceled.

- If your landlord is losing the property to foreclosure, you can use the security deposit to pay rent for the last month of the redemption period.
- If your landlord is losing the property because their contract for deed is being canceled, you can use your security deposit to pay your rent for the last month before the contract for deed is canceled.

See our fact sheet [When Your Landlord Loses the Building - Mortgage Foreclosure and Contract for Deed Cancellation](#).



**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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## MOVE-IN INSPECTION AND LEASE ADDENDUM

| ✓                                | PROBLEM                          | DESCRIPTION |
|----------------------------------|----------------------------------|-------------|
| <b>WINDOWS</b>                   |                                  |             |
|                                  | Missing/Torn screens             |             |
|                                  | Missing/Broken storm windows     |             |
|                                  | Broken/Cracked glass             |             |
|                                  | Missing/Broken locks             |             |
|                                  | Other                            |             |
| <b>DOORS</b>                     |                                  |             |
|                                  | No deadbolt locks                |             |
|                                  | Broken locks                     |             |
|                                  | Missing/Broken doorknobs         |             |
|                                  | Other                            |             |
| <b>WALLS / CEILINGS / FLOORS</b> |                                  |             |
|                                  | Chipped/Flaking paint            |             |
|                                  | Holes or cracks in walls         |             |
|                                  | Dirt/Stains on walls             |             |
|                                  | Leaky roof or ceiling            |             |
|                                  | Holes in carpet                  |             |
|                                  | Dirty carpet                     |             |
|                                  | Missing/Broken tiles or linoleum |             |
|                                  | Broken Kitchen Cabinets          |             |
|                                  | Other                            |             |
| <b>PLUMBING</b>                  |                                  |             |
|                                  | Clogged pipes/toilet             |             |
|                                  | Bad water pressure               |             |
|                                  | Dripping faucets                 |             |
|                                  | Leaks                            |             |
|                                  | Other                            |             |
| <b>ELECTRICAL</b>                |                                  |             |
|                                  | Smoke detector                   |             |
|                                  | Exposed wiring                   |             |
|                                  | Short circuits                   |             |
|                                  | No cover plates on outlets       |             |
|                                  | Other                            |             |

