

# **ENERGY ASSISTANCE PROGRAMS AND RESIDENTIAL UTILITY CONSUMER RIGHTS**

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## **ENERGY ASSISTANCE PROGRAMS**

A variety of programs are available to help low-income consumers pay their electric, gas, propane, or fuel oil bills, and to help reduce the use of energy through conservation.

### ***PROGRAMS TO HELP YOU PAY YOUR BILLS***

#### **ENERGY ASSISTANCE PROGRAM**

The **Energy Assistance Program** provides grants to households to help pay energy and utility bills. Both renters and homeowners are eligible. The amount of the grant depends on what your income is and how much energy you use. The Energy Assistance Program is operated on a first-come, first served basis. The federal government provides money to the Minnesota Department of Commerce each year to distribute as grants for energy assistance. Grants are usually administered by Community Action Agencies and given out beginning in October. They are available until the funding runs out.

The **Energy Related Repair Program**, a part of the Energy Assistance Program, provides help to meet emergency, crisis conditions, such as the need to repair or replace a non-working furnace during the winter. The Energy Related Repair Program is available only to homeowners.

To qualify for energy assistance or emergency repairs, you must have an annual household income of 50% or less of the state median income. You will generally have to provide the most recent three months of income information to the local agency processing your application. The most income you can earn and still qualify depends on the number of persons in your household. The income requirements vary by family size and change each year. You can find the current requirements at [MN Department of Commerce – Eligibility Guidelines](#).

The Department of Commerce uses local community action, tribal, and county human service agencies to administer the program. To find the agency in your area that can help you apply for the EAP program:

1. Click on the [Provider list](#)
2. Call the Department of Commerce at 1-800-657-3710
3. Call your local utility company.

Applications are available in [English](#) and [Spanish](#) on the Department of Commerce Web site.

#### **FUEL FUNDS**

##### **HeatShare**

HeatShare is a "last resort" program, providing money to help pay natural gas, oil, propane, wood, and electricity bills, and to help with emergency furnace repairs. [Heatshare](#) helps:

- Seniors with low incomes and no alternate source of help.

- Disabled peoples whose physical capabilities limit their ability to maintain income to adequately cover energy bills.
- People who have unexpected emergencies and as a result cannot pay for household energy costs.

To find out the phone number serving your community, click on [Heatshare](#) to go directly to the information.

## **COUNTY HUMAN SERVICE AGENCIES**

Counties may, if they choose, provide assistance with utility needs. Most counties do provide help to pay at least a portion of utility bills. However, funding for this purpose is limited. To find out if your county offers assistance with utility payments, contact your local county social or human service agency. To find your county human service office, click on the [Minnesota Department of Human Services' Website](#)

## **LOW-INCOME AFFORDABILITY PROGRAMS**

CenterPoint Energy, Minnesota Energy Resources and Xcel Energy offer gas affordability programs for low-income households. In addition, Xcel Energy offers an electric affordability program to low-income households. The programs are targeted to households who have the lowest incomes and have the highest energy bills. To qualify, you must receive energy assistance. If you are admitted into the program, the company will provide bill payment and other forms of assistance, including perhaps conservation services and arrears forgiveness, to help you keep your utility service on. You may also receive arrears forgiveness. You will need to make a payment agreement that you can afford based on your financial circumstances and will have to make timely payments every month.

For more information, contact you utility company.

### ***PROGRAMS TO HELP YOU USE LESS ENERGY*** **(Conservation/Energy Efficiency Programs)**

## **WEATHERIZATION ASSISTANCE PROGRAM**

The Weatherization Assistance Program provides free weatherization services (such as insulation) that can lower the amount of energy you use, and lower your monthly utility bill. The program also fixes health and safety problems associated with your home's energy system. The federal government provides money each year to the Minnesota Department of Commerce to administer this program.

If you are eligible for the Energy Assistance Program, you are eligible for the Weatherization Assistance Program. Households with the highest heating costs, households with an elderly member, and households with a member who has a disability are given priority. To qualify for free weatherization, your household income has to be at or below 50% of the state medium income. The income requirements vary by family size and change each year. You can find the current requirements at [MN Department of Commerce – Eligibility Guidelines](#).

The Department of Commerce uses local community action, tribal, and county human service agencies to administer the program. To find the agency in your area that can help you apply for the weatherization program:

1. Click on the Provider list on the [Department of Commerce Website](#).
2. Call the Department of Commerce at 1-800-657-3710
3. Call your local utility company.

## **CONSERVATION IMPROVEMENT PROGRAM (CIP)**

State law requires gas and electric utility companies, including cooperative and municipal utilities, to spend money each year on conservation programs. The law requires that part of that money be used for conservation programs for low-income households and people who rent. This is a free program.

To qualify, your household income has to be at or below 50% of the state medium income. The income requirements vary by family size and change each year. You can find the current requirements at [MN Department of Commerce – Eligibility Guidelines](#) or by contacting your utility company.

## **RESIDENTIAL UTILITY CONSUMER RIGHTS**

If you use gas or electricity, you have rights and protections under law. Different rules apply depending on: (1) whether you pay the utility directly or whether your utilities are included in your rent or lease payments, or (2) whether you are a customer of an investor-owned utility, a municipal utility or a cooperative utility. This section summarizes those rights.

### **FOR ALL CUSTOMERS**

#### **Cold Weather Shutoff Protections** (The “Cold Weather Rule”)

In Minnesota, what the “Cold Weather Rule” protects all low-income gas and electric customers from disconnection of heat-related utility service in the winter, provided that eligible customers make and keep a payment agreement.

*When is the Cold Weather Rule in Effect?*

Between October 15 and April 15

*How Do You Qualify for the Protection?*

You must have a household income at or below 50% of state median income. Those requirements vary by family size and change each year. You can find the current requirements at [MN Department of Commerce – Eligibility Guidelines](#) or by contacting your utility company.

### *What Do You Have to Do to Make Sure the Gas and Electricity Stay On?*

1. Make a payment plan with the utility company. (The plan must be “based on the financial resources and circumstances of the household,” but can be no more than 10% of your household income, unless you agree to a higher amount.)
2. Stick to the plan by making agreed upon payments. Can the Utilities Shut My Gas or Electricity Off in the Winter?

Yes, if you don't make and KEEP your payment agreement.

### *What if You and the Utility Company Can't Agree to a Payment Plan?*

Call the Minnesota Public Utilities Commission's Consumer Affairs Office at 651-296-0406 or 1-800-657-3782. The staff has the power to negotiate with the utility company and, if necessary, order a resolution to the dispute.

### *Are Service Limiters Disconnections?*

Yes, for the purposes of the Cold Weather Rule. Therefore, the utility company must follow the rules during the winter (for example, give you notice in advance, offer you a payment agreement) before installing a service limiter. (A service limiter is a device placed on your meter that allows only a certain amount of power to get through.)

### *What Other Protections Are There Under the Cold Weather Rule?*

1. Your service cannot be disconnected until 10 “working days” (Monday through Friday, not including holidays) after you receive a disconnection notice.
2. You can't be charged a deposit or late payment fee if you make a payment agreement or if you are disputing a bill.
3. You can't be disconnected during the following times:
  - a. If you have a complaint or appeal in progress.
  - b. On a Friday, unless the utility contacts you personally and offers a payment agreement.
  - c. On a Saturday, a Sunday, a holiday, or a day before a holiday.
  - d. On a day the utility offices are closed.
  - e. When no one is at the utility who can resolve disputes, make a payment agreement with you, accept payments and reconnect service.
  - f. When the Public Utilities Commission's offices are closed.

### *Where Can You Find the Cold Weather Protections Law?*

1. The law covering the “regulated utilities” -- Allete (Minnesota Power), Alliant Energy (Interstate Power), CenterPoint Energy (Minnegasco), Greater Minnesota Gas, Great Plains Natural Gas Company, Minnesota Energy Resources (formerly Aquila, formerly

Peoples Natural gas - MN & Northern MN Utilities), Otter Tail Power Company, and Xcel Energy (Northern States Power) – can be found at [Minn. Stat. § 216B.096](#).

2. The law covering municipal utilities and electric cooperatives is found at [Minn. Stat. §216B.097](#).

## **Other Consumer Rights and Protections Under Law for All Customers**

### *Right to a Budget Billing Plan*

All utility companies must offer you the opportunity to pay your utility bills under a budget billing plan. A budget billing plan allows you to pay roughly the same amount every month.

The advantage of a budget billing plan is that it takes the ups and downs out of your monthly energy bill. It helps keep energy costs level in the winter, when bills can get really high because of the need to turn up the heat in the cold weather. It also helps keep energy costs level in the summer if you have and need to use air conditioning.

### *Right to a Payment Agreement*

If you are behind on your bills, you have a right to enter into a payment agreement to pay off the back bills and keep your utility service on. The payment agreement must be based on what you can afford.

### *Rights if the Utility Company Makes a Mistake in Billing*

If the utility company made a mistake and charged you too much (overcharged you), the utility must refund to you the overcharge for up to three years, plus interest.

If the utility company made a mistake and charged you too little (undercharged you), the utility can only go back one year to recover those underpayments. But, you have the right to pay off those charges over time, through a payment agreement. The length of the payment agreement depends on how long the utility company was billing you incorrectly. For example, if you got incorrect bills for six months, you can pay off the balance over six months. But, if you need more time, you can negotiate a longer period that is based on what you can afford. You cannot be charged interest or late fees. However, you do not have this right if you were the one who caused the mistake in billing.

### *Medical Emergencies/Life Support*

A utility company can't shut off your gas or electricity if you or someone in your household has medical emergency or is using life support equipment that runs on gas or electricity. Examples of life support equipment are: kidney dialysis machines, ventilators, or feeding pumps. Even if you are behind on your bills, no utility company can shut off your service if you have such an emergency or need life support equipment. You do need a doctor's certification that says there is a medical emergency or you are using equipment necessary for life support. Even though you may not be disconnected, you are still responsible for your bills and must work out a payment agreement.

## *Disconnection During Extreme Heat Conditions*

A utility company may not shut off utility service when a heat advisory, excessive heat watch or excessive heat warning, issued by the National Weather Service, is in effect.

*Where Are These Rights Found in Minnesota Law?*

[Minn. Stat. § 216B.098](#) - Residential Customer Protections

[Minn. Stat. § 216B.0975](#) - Disconnection During Extreme Heat Conditions

### **FOR “REGULATED UTILITY” CUSTOMERS ONLY**

The following rights and protections do not apply to everybody. They are only for customers of:

- Alliant (Interstate Power and Light Company);
- Allete (Minnesota Power);
- CenterPoint Energy (Minnegasco);
- Dakota Electric Association
- Great Plains Natural Gas Company;
- Greater Minnesota Gas;
- Minnesota Energy Resources (formerly Aquila, Northern Minnesota Utilities and Peoples Natural Gas Company);
- Otter Tail Power Company; and
- Xcel Energy

These companies are known as “regulated utilities.” They are under the authority of the Minnesota Public Utilities Commission (PUC). These companies have to follow rules made by the PUC. Those rules provide additional protections. This section summarizes those additional protections.

#### Complaints

If you have a complaint, call your utility company. Utilities must have procedures to handle complaints and disputes. A utility company must contact you within five business days after you file a complaint to give you a status report. After that, the utility company must contact you at least once every two weeks to keep you updated about the status of your complaint. Call your utility company to file a complaint. (See **Utility Company Customer Service Numbers** below.)

If you are not satisfied with the resolution of your complaint, call the Minnesota Public Utilities Commission Consumer Affairs Office at 651-296-0406 or 1-800-657-3782. The Consumer Affairs Office staff has the power to negotiate with the utility Company and, if necessary, order a resolution to the dispute.

#### Deposits

*Do You Have to Pay a Deposit?*

Generally no, if you have “established good credit.” You have “good credit” if you have not had your gas or electricity service shut off or received a disconnect notice during the last 12 months.

- You may have to pay a deposit when you apply for new service if you:
- Have an unpaid bill (and that bill is not in dispute);
- Have had your gas or electricity shut off in the past. (See Disconnection section below) or had a shutoff notice issued; or
- Cannot demonstrate “good credit” history.

You are a “new customer” or “applicant” if you have not asked for or received utility service during the past six months with that utility company.

If you are an existing customer you can be asked for a deposit only if you have had your gas or electricity shut off or had a disconnect notice because you didn’t pay your bill. (See Disconnection section below.)

*If You DO Have to Pay a Deposit, How Much Can the Utility Get?*

If you must pay a deposit, it cannot be more than an amount equal to two months’ bills. And, you have to be told in writing why you are being asked to pay a deposit.

*Do You Ever Get Your Deposit Back?*

Yes. If you pay your bills on time for 12 straight months, then you get your deposit back plus interest.

### Disconnection (Shutoff)

*How Much Notice Must Utility Companies Give Before They Shut Off Your Gas or Electricity?*

A utility company must give you at least five days’ notice before shutting off your gas or electricity. Sundays and legal holidays don’t count toward the five days.

*What if You Dispute the Bill? Can They Still Shut Off Your Gas or Electricity?*

Not if:

- You have told the utility company before the shutoff that you are disputing all or a part of your bill and the utility company is still investigating; or
- You pay the whole bill to the utility company **and** say what part of the bill you contest as “disputed.”

Ask the utility for an “Escrow Payment Form,” fill it out as instructed, and send in your full payment to the utility. Send one copy of the form to the Public Utilities Commission. By doing that, you automatically have filed a complaint. The disputed portion of the payment will be put aside while the PUC investigates the complaint.

*When CAN a Utility Company Shut Off Your Gas or Electricity?*

The utility company CAN shut off your gas or electricity if, among other things:

- You don’t pay your bill;

- You don't agree to and keep a payment agreement;
- The last customer didn't pay the bill and she or he continues to live in your house;
- You don't meet the utility company's deposit and credit requirements;
- You don't make the right application for electric or gas service;
- You don't give the utility company reasonable access to its equipment;
- The Public Utilities Commission, after a hearing, finds you are purposely wasting gas or electricity; or
- You violate the utility company's rules (called "tariffs").

*When CAN a Utility Company Shut Off Your Gas or Electricity WITHOUT NOTICE?*

The utility company can shut off your gas or electricity without notice if:

- You interfere (tamper) with the utility meter or other equipment; or
- There is an emergency.

*When CAN'T a Utility Company Shut Off Your Gas or Electricity?*

The utility company CANNOT shut off your gas or electricity if, among other things:

- The last customer didn't pay the bill and that person doesn't still live in your house;
- You paid for your electricity or gas use but didn't pay other charges on your bill (for example, appliances or other merchandise); or
- You didn't pay the utility bill for your business.

*What Other Protections Do You Have?*

The utility company must come in person to shut off (disconnect) service and the utility company must try to contact you personally first.

The utility company representative coming to shut off the utilities must accept payment from you at the time of the shutoff.

Reconnection

The utility company can charge a fee to reconnect gas or electric service, and may ask you for a deposit.

Meter Reading

If the utility company can't get to read your meter during regular hours because of your work schedule, the utility company must try to arrange to read your meter at night or on the weekend.

The utility company is supposed to read your meter each month. Your bill should be based on the actual usage, measured by the meter.

If the utility company cannot gain access to your meter, it must leave you a form so you can read your own meter and send in the readings to the utility.

Even if you read your own meter, the utility company MUST read your meter once every 12 months.

If the utility company can't read your meter, it may send you "estimated" bills. The utility company can only estimate your bills for two months in a row unless you don't send in self-read forms or there is some other good reason.

If you think your meter is not measuring your electricity or gas correctly, contact the utility company. (See **Utility Company Customer Service Numbers** below.)

### Inaccurate Meters

*Overcharges* (You are billed too much)

If there is a mistake and the utility company charged you too much because the meter was fast, you are entitled to a refund. ([See Rights if the Utility Makes a Mistake in Billing](#) above.)

*Undercharges* (You are billed too little)

If there was a mistake and the utility company didn't charge you enough because the meter was too slow, you are responsible for the difference. But if you had nothing to do with the meter being slow, then you can pay off the balance over the same number of months that the meter was not operating right. (See [Rights if the Utility Makes a Mistake in Billing](#) above.)

*How Far Back Can Utility Companies Go to Give You a Refund if They Charge Too Much?*

Three years.

*What If You Told the Utility Company About the Problem and Nothing Happened?*

If you told the utility company about the meter problem and the utility company never investigates, it can NEVER send you a bill (called a "back bill"). If the utility takes an extra long time to investigate, then it cannot charge you for under billings between the time you told them about the problem and the time they came to check it out.

*Where Can You Find These Rules?*

[Minnesota Rules, Chapter 7820.](#)

For rights to meter readings in the evening and on weekends, see [Minn. Stat. §216B.075](#)

[Where Can You Find Utility Tariffs?](#)

They are sometimes available on the utility company's Website. They are also on file at the Public Utilities Commission and available electronically on the Commission's Web site.

[Click here for electric utility tariffs.](#)

[Click here for gas utility tariffs.](#)

## How Can I Contact My Utility?

### *Investor-owned (Regulated) Utility Companies*

There are four investor-owned electric companies. Here are their names and contact information:

#### [Allte](#) (*Minnesota Power*)

30 West Superior Street  
Duluth, MN 55802  
218-722-2641

[Customer Service Online Forms](#)

#### [Alliant Energy](#) (*Interstate Power*)

1000 Main Street  
P.O. Box 769  
Dubuque, IA 52004-0769  
319-582-5421

[customercare@alliantenergy.com](mailto:customercare@alliantenergy.com)

#### [Northwestern Wisconsin Electric](#)

104 South Pine Street  
P.O. Box 9  
Grantsburg, WI 54840-0009  
715-463-5371

[General Email](#)

#### [Otter Tail Power Company](#)

PO Box 496  
215 S Cascade Street  
Fergus Falls, MN 56538-0496  
218-739-8200

#### [Xcel Energy](#) (*Northern States Power*)

414 Nicollet Mall  
Minneapolis, MN 55401-1993  
1-800-895-4999

[Inquire@xcelenergy.com](mailto:Inquire@xcelenergy.com)

There are six investor-owned gas companies. Here are their names and contact information:

#### [Alliant Energy](#) (*Interstate Power*)

1000 Main Street  
P.O. Box 769  
Dubuque, IA 52004-0769  
319-582-5421

[customercare@alliantenergy.com](mailto:customercare@alliantenergy.com)

[CenterPoint Energy \(Minnegasco\)](#)

800 LaSalle Avenue  
P.O. Box 59038  
Minneapolis, MN 55459-0038  
612-372-4664

[Greater Minnesota Gas](#)

315 ½ South Minnesota Avenue, Suite 201  
Saint Peter, MN 56082  
1-888-931-3411  
[gmg@greatermngas.com](mailto:gmg@greatermngas.com)

[Great Plains Natural Gas Company](#)

**Fergus Falls Office**

Office Location:  
105 West Lincoln Avenue  
Fergus Falls, MN 56537

Mailing Address:  
PO Box 176  
Fergus Falls, MN 56538-0176

1-877-267-4764  
[gpng@gpng.com](mailto:gpng@gpng.com)

Serving: Breckenridge, Crookston, Fergus Falls, Pelican Rapids, Vergas, Wahpeton

**Marshall Office**

Office Location:  
811 North Bruce  
Marshall, MN 56258

Mailing Address:  
PO Box 310  
Marshall, MN 56258-0310

1-888-577-5529  
[gpng@gpng.com](mailto:gpng@gpng.com)

Serving: Belview, Boyd, Clarkfield, Danube, Dawson, Echo, Granite Falls, Marshall, Montevideo, Redwood Falls, Renville, Sacred Heart and Wood Lake

[Minnesota Energy Resources](#)

*(formerly Aquila, formerly Peoples Natural gas - MN & Northern MN Utilities)*  
2665 145th Street West  
Rosemount, MN 55068  
1-800-889-9508

[Xcel Energy \(Northern States Power\)](#)

414 Nicollet Mall  
Minneapolis, MN 55401-1993  
1-800-895-4999  
[Inquire@xcelenergy.com](mailto:Inquire@xcelenergy.com)

Municipal Utilities

There are 126 municipal electric and 31 municipal gas utilities in Minnesota. If you have a billing problem, or want to find out what low-income bill assistance and conservation programs

are available, contact the municipal utility that serves you. For more information about municipal utilities generally, click on the [Minnesota Municipal Utility Association Website](#) or call 763-551-1230.

### Electric Cooperative Utilities

There are 44 electric cooperative utilities in Minnesota. If you have a billing problem, or want to find out what low-income bill assistance and conservation programs are available, contact the electric cooperative that serves you. For more information about electric cooperative utilities generally, click on the [Minnesota Rural Electric Association](#) or call 763-424-1020.

## **UTILITY CONSUMER RIGHTS AND PROTECTIONS FOR TENANTS**

### Livability

Generally, a landlord must maintain your apartment and the building so they are livable. From an energy point of view, the landlord must comply with energy efficiency standards for weather-stripping, caulking, storm windows, and storm doors.

### Rights When You Pay Your Bills Directly to the Utility Company

You are covered by the Cold Weather Rule, and you have all the consumer protections under law that all utility customers have. (See "For All Customers" above) If in addition you are a customer of a regulated utility, you have all the protections under the Public Utilities Commission's rules. (See "Regulated Utility Customers Only" above.)

### Rights When Your Utilities Are Included in Your Rent

The landlord may either collect utilities in the rent or bill you separately, in addition to your rent, for your fair share of the utility costs. (This process is called "apportionment.")

If the landlord is going to bill you separately for utilities, then the landlord must tell you in writing in your lease:

- How the utilities will be divided up among tenants (that is, what the method of apportionment is); and
- How often you will get a separate utility bill (for example, once a month, every quarter).

Also, the landlord must:

- Make sure the way the utility costs are divided is fair (called "equitable in the law");
- If you ask, give you a copy of the actual utility bill for the building (that is, the bill the landlord gets from the utility company);
- If you ask, give you past copies of actual utility bills for any period of our tenancy when you got a separate utility bill;
- If you and the landlord agree, let you pay equal monthly utility payments based on an estimate of what the total costs will be for the year; and
- By September 30 each year, tell you about the energy assistance program and give you the number to call.

## What if Your Landlord Doesn't Pay the Utility Bill and the Utility Company Is Going to Shut Off the Gas or Electricity in the Whole Building?

You can follow what is called the "Pay and Deduct" rules to keep the gas or electricity on or get those utility services turned back on.

### **How Do the "Pay and Deduct" Rules Work?**

#### *Gas or Electric Service Protections*

1) Right to Pay Current Charges

Tenants can pay the current bill and receive at least one additional billing cycle of service. The "current bill" does NOT include any arrears or late charges.

2) Right to Take Over Account

In one-to-four family buildings, one tenant can take over the account, provided the tenant meets all requirements necessary to become a new customer. The utility cannot ask for a deposit or any other prepayment.

Tenants can first pay the bill and get one billing cycle of service and THEN one can decide to take over the account. But, taking over the account will be permitted only one time within a 12-month period.

#### *Water Service Protections*

Cities have to provide each tenant who asks for it with the bill that the landlord did not pay. Tenants can pay the current charges for the most recent billing period and keep the water on. Tenants can continue to pay the bill as long as they have a lease in effect. No deposit can be charged.

Get a receipt from the utility or city, attach it to the rent bill and pay the landlord the rent MINUS the amount you paid for the utility.

## Are the Tenants Responsible for All the Past Due Utility Bills the Landlord Didn't Pay?

Absolutely NOT.

## What If Your Landlord Illegally Shuts Off Your Utilities?

This is known as "unlawful termination of utilities." You can sue to recover any money you lost because of the illegal termination (such as food spoiled in the refrigerator).

If you told the landlord about the loss of utilities, the landlord didn't turn them back on or make a good faith effort to turn them on within a reasonable amount of time, or the utilities weren't turned off because of an emergency or for repairs, then you can sue for three times the amount of your money losses resulting from the loss of utilities or \$500, whichever is more.

## Can the Landlord Put in a Lease that You Give Up These Rights?

No. The courts will not enforce any lease clause that says you give up (“waive”) these rights.

## What If You Are Paying for Utilities in Other Apartments or in Common Areas?

You have what is called a “shared meter condition.” You should ONLY be responsible for the utility use inside your apartment. For example, you should not be paying for the hall lights or security lights, or for energy use in the laundry room.

## **What Do You Do if You Think You Have a Shared Meter Condition?**

Call your utility company. (See **Utility Company Customer Service Numbers** below.) The utility company will investigate and, if you are paying for someone else’s energy use, the utility company will put the account in the landlord’s name. If you are an Xcel Energy customer and you’ve been incorrectly paying for other apartments or common area energy use, you may be automatically eligible for a refund. If you are a customer of another utility company, you may need to go to court to get your overpayments back.

## Where Can You Find the Law on Utilities and Landlords and Tenants?

### *Livability*

[Minn. Stat. §504B.161, subd. 1.](#)

### *Utilities are Rent Included (Apportionment)*

[Minn. Stat. §504B.215, subds. 1, 2 and 2a.](#)

### *”Pay and Deduct”*

[Minn. Stat. §504B.215, subd. 3](#)

### *Illegal Shutoffs*

[Minn. Stat. §504B.221](#)

### *No Waivers*

#### **Livability**

[Minn. Stat. §504B.161, subd. 1.](#)

#### **“Pay and Deduct”**

[Minn. Stat. §504B.215, subd. 3.](#)

#### **Unlawful/Illegal Shutoffs**

[Minn. Stat. §504B.22.](#)

## **UTILITY CONSUMER RIGHTS AND PROTECTIONS FOR RESIDENTS OF MANUFACTURED HOME PARKS**

### What Does “Utility Service” Mean Under Manufactured Home Park Law?

Any electric, fuel oil, natural or propane gas, sewer, waste disposal and water service by whatever means furnished. See [Minn. Stat. §327C.01, subd. 12](#).

If Utilities Were Included as Part of Your Original Lease, Can a Park Owner Install Meters and Start Charging You Separately for Utilities?

No. That would be a “substantial modification” of your lease, which is prohibited by law. See [Minn. Stat. §327C.01, subd. 11](#) (definition of “substantial modification”) and [Minn. Stat. §327C.02, subd. 2](#) (Modification of Rules).

In a 2002 case, the Minnesota Court of Appeals found that “the addition of utility charges to an existing manufactured home park rental agreement is a new rule that substantially modifies the agreement and renders the agreement unenforceable.” See [Sargent v. Bethel Properties, Inc., 653 N.W.2d 800 \(Minn. Ct. App. 2002\)](#).

What is the Law When Utilities Are Not Included?

Every resident must be charged equally, unless the park owner has installed meters. If you have a meter, you then pay for the amount of energy or water that you use.

The price the owner can charge can be no higher than the price you would pay for utilities if you paid directly to the local utility company.

For electricity in particular, if the park owner is losing money on providing electric service, the owner can charge you a higher rate than the local utility company could charge you, but only so much as to break even.

This law is found at [Minn. Stat. §327C.04](#).

***USEFUL PHONE NUMBERS***

Persons with hearing or speech impairments can call any number by using the Minnesota Relay system by calling: 1-800-627-3529 or 711

**Government Agencies**

Minnesota Attorney General’s Office

Voice	651-296-3353 or 1-800-657-3787
TTY	651-297-7206 or 1-800-366-4812

Minnesota Department of Commerce

General Information	
Voice	651-296-4026
TTY	651-296-2860

Minnesota Public Utilities Commission

To file a complaint	651-296-0406 or 1-800-657-3782
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## **Fuel Funds**

HeatShare 1-800-842-7279

## **Legal Services/Legal Aid**

Albert Lea 1-800-233-0280  
Southern Minnesota Regional Legal Services

Alexandria 1-800-450-2552  
Legal Services of Northwest Minnesota

Anoka County 763-783-4970  
Judicare of Anoka County

Bemidji 1-800-450-9201  
Legal Services of Northwest Minnesota

Brainerd 1-800-933-1112  
Legal Aid Service of Northeastern Minnesota

Cass Lake 1-800-422-1335  
Anishinabe Legal Services

Dakota County 952-431-3200  
Legal Assistance of Dakota County

Duluth 1-800-622-7266  
Legal Aid Service of Northeastern Minnesota

Grand Rapids 1-800-708-6695  
Legal Aid Service of Northeastern Minnesota

Hennepin County 612-334-5970  
Central Minnesota Legal Services

Mankato 1-800-247-2299  
Southern Minnesota Regional Legal Services

Minneapolis Mid-Minnesota Legal Assistance  
(Legal Aid Society of Minneapolis)

Downtown 612-334-5970  
TTY 612-332-4668  
Northside 612-334-5970  
Southside 612-334-5970  
TTY 612-827-1491

Moorhead 1-800-450-8585  
Legal Services of Northwest Minnesota

Naytahwaush Anishinabe Legal Services	877-800-7295
Olmsted County Legal Assistance of Olmsted County	507-287-2036
Pine City Legal Aid Service of Northeastern Minnesota	1-800-382-7166
Prior Lake Southern Minnesota Regional Legal Services	952-440-1040
Red Lake Anishinabe Legal Services	877-679-2281
Rochester Southern Minnesota Regional Legal Services	866-292-0080
St. Cloud Central Minnesota Legal Services	1-800-622-7773
St. Cloud Area Legal Services	1-888-360-2889
St. Paul Southern Minnesota Regional Legal Services	
Downtown St. Paul	651-222-4731
Eastside Office	651-495-0473
Virginia Legal Aid Service of Northeastern Minnesota	1-800-886-3270
Washington County Legal Assistance of Washington County	651-351-7172
White Earth Anishinabe Legal Services	877-800-7295
Willmar Central Minnesota Legal Services	1-800-622-4011
TTY	320-235-2820
Western Minnesota Legal Services	1-888-360-3666
TTY	320-235-2820
Winona Southern Minnesota Regional Legal Services	1-800-372-8168
Worthington Southern Minnesota Regional Legal Services	1-800-233-0023

Volunteer Attorney Program  
Duluth 218-722-5480

Volunteer Lawyers Network  
Minneapolis 612-752-6656

**Low-Income Energy Consumer Advocate**

Energy Cents Coalition (Statewide) 651-774-9010

**Manufactured Home Park Resident Advocate**

All Parks Alliance for Change (APAC)  
(Statewide) 651-644-5525

***WEB LINKS***

**Government Agencies**

Minnesota Attorney General  
[Web Site Home Page](#)  
[Consumer Complaint Form](#)  
[Utilities Information](#)

Minnesota Department of Commerce  
[Energy Assistance](#)  
[Weatherization](#)

Minnesota Public Utilities Commission  
[Home Page](#)  
[To file a complaint](#)  
[Consumer Assistance Programs](#)

**Fuel Funds**

[HeatShare](#)

[Reach Out for Warmth](#)

**Low-Income Energy Consumer Advocate**

[Energy Cents Coalition](#) (Statewide)

**Manufactured Home Park Resident Advocate**

[All Parks Alliance for Change](#) (APAC)

**Utility Companies**

[Alliant Energy](#) (Interstate Power)

[CenterPoint Energy](#) Minnegasco

[Great Plains Natural Gas Co.](#)

[Minnesota Energy Resources](#) (formerly Aquila, formerly Peoples Natural gas - MN & Northern

[Minnesota Municipal Utilities Association](#)

[Minnesota Rural Electric Association](#)

[Otter Tail Power Company](#)

[Xcel Energy](#)

**Other Links**

[LIHEAP Clearinghouse](#)

[National Low Income Energy Consortium](#)